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THE 2010 NGO SUSTAINABILITY INDEX

FOR SUB-SAHARAN AFRICA



The 2010 NGO Sustainability Index for Sub-Saharan Africa

Developed by:
United States Agency for International Development

Bureau for Democracy, Conflict, and Humanitarian Assistance
Office for Democracy and Governance

Bureau for Africa
Office of Sustainable Development

2010 NGO SUSTAINABILITY SCORES

COUNTRY	Legal Environment	Organizational Capacity	Financial Viability	Advocacy	Service Provision	Infrastructure	Public Image	NGO Sustainability
EAST AFRICA								
Burundi	5.8	5.9	6.0	4.5	4.5	5.6	4.3	5.2
DRC	5.4	5.1	5.8	4.5	4.5	5.6	5.0	5.1
Ethiopia	6.2	5.1	5.9	6.0	4.9	5.3	5.1	5.5
Kenya	4.1	3.9	4.8	3.5	3.4	3.7	4.3	4.0
Rwanda	4.3	4.6	5.3	3.9	4.0	5.0	4.5	4.5
Tanzania	4.5	4.4	4.9	3.9	3.4	4.3	4.2	4.2
Uganda	5.1	4.0	5.1	3.9	3.5	4.7	4.4	4.4
Average	5.1	4.7	5.4	4.3	4.0	4.9	4.5	4.7
WEST AFRICA								
Gabon	6.0	5.5	6.1	5.1	5.1	5.1	5.0	5.4
Ghana	3.9	3.9	5.6	3.9	3.8	4.7	4.3	4.3
Guinea	5.5	5.8	6.3	5.5	5.1	5.7	4.9	5.5
Liberia	4.9	5.1	5.8	4.2	4.4	4.8	4.7	4.8
Mali	4.2	4.2	5.6	3.9	3.7	4.7	4.5	4.4
Nigeria	5.0	4.7	5.6	3.8	4.2	5.0	4.0	4.6
Senegal	4.3	3.9	5.0	3.9	3.9	4.7	3.9	4.2
Sierra Leone	5.0	4.9	5.7	4.5	4.1	5.1	4.5	4.8
Average	4.9	4.8	5.7	4.4	4.3	5.0	4.5	4.8
SOUTHERN AFRICA								
Angola	6.0	5.7	5.9	5.5	5.3	5.7	5.4	5.6
Mozambique	4.8	5.4	5.0	4.5	4.0	5.1	4.8	4.8
South Africa	3.3	3.7	4.0	3.4	3.2	3.8	3.6	3.6
Zimbabwe	6.0	4.5	5.9	4.5	3.4	5.0	4.5	4.8
Average	5.0	4.8	5.2	4.5	4.0	4.9	4.6	4.7

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INTRODUCTION

USAID is proud to present the second edition of the *NGO Sustainability Index for Sub-Saharan Africa (NGOSI)*. The NGOSI reports on the overall sustainability of the NGO sectors in nineteen countries of sub-Saharan Africa, including countries in East, West, and Southern Africa. The NGOSI complements the *NGO Sustainability Index for Central and Eastern Europe and Eurasia*, the fourteenth edition of which was published in November 2010. Given the increasing prominence of civil society and its role in development, the Index will expand into two new regions in 2011: Middle East and North Africa and Afghanistan and Pakistan. This series of publications will also get a new name in the coming year. In recognition of the broad range of nonprofit civil society organizations (CSOs) that have always been covered in these reports, these publications will now be called CSO Sustainability Indexes.

The NGOSI highlights both advances and setbacks for NGOs, when viewed collectively as a sector, and allows for comparisons across countries and subregions over time. The Index is a useful and unique tool for local NGOs, governments, donors, academics, and others to understand and measure the sustainability of the NGO sector, along with changes and trends over time.

The Index analyzes and assigns scores to seven interrelated dimensions: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. These scores are averaged to produce an overall sustainability score. A panel of NGO practitioners and experts in each country assesses the sector's performance in each of the seven dimensions. A Washington-based Editorial Committee of technical and regional experts reviews the panel's findings. Based on their scores, countries fall within three basic categories of NGO sustainability: Sustainability Enhanced, Sustainability Evolving, and Sustainability Impeded. More detail about the methodology used to determine scores is provided in Sections 1 through 3 (pages 10-18).

A publication of this type would not be possible without the contributions of many actors. Specific acknowledgements of the implementers responsible for the Index appear on the following page. We would further like to express our deepest gratitude to all of the local NGO experts, USAID, and other donors who participated in the focus group discussions in each country. Their knowledge, observations, and contributions are the foundation upon which this Index is based.

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EXECUTIVE SUMMARY

Whether responding to mudslides in Uganda, fighting corruption in Burundi, or responding to the AIDS pandemic in Mozambique, NGOs across Sub-Saharan Africa are actively responding to the challenges their countries face.¹

The NGO sectors in the 19 countries covered in this year's Index are diverse in terms of their size and influence. While Kenya is home to over 350,000 organizations, the sector in Sierra Leone consists of a mere 285 registered NGOs, 118 of which are international organizations. In Tanzania, the vibrant NGO sector actively engages with the government on policy issues and provides critical services to vulnerable communities. Angolan NGOs, on the other hand, struggle to operate in a restrictive environment that offers them little space to engage in advocacy or service provision. NGOs' effectiveness at bringing people together to identify, push for, and implement solutions to problems in their societies depends on a variety of factors measured in the NGO Sustainability Index, including the legal environment, access to funding, organizational capacity, access to training and support services, and public image, as well as unique historical and cultural factors.

Change is the focus of this year's Index. The inaugural NGO Sustainability Index for Sub-Saharan Africa, published last year, focused on setting an accurate baseline and describing the overall state of the NGO sectors in the countries covered. This year's report focuses on the situation in 2010, with an emphasis on change—both positive and negative—over the year.

This year's Index shows more improvement than deterioration over the past year. Five countries—Burundi, Guinea, Kenya, Liberia, and Mali—improved their overall sustainability this year. While some countries experienced backsliding in individual dimensions of sustainability, no country experienced an overall deterioration in sustainability this year.

2010 was a year of significant political change in several of the countries covered by the Index, and NGOs were front and center in these movements. Guinea initiated a democratic transition in 2010, resulting in presidential elections in November. NGOs were at the forefront of the fight for the return to constitutional order, pressuring the junta to step down and participating in the transitional government. NGOs also played a key role in the elections. In addition to voter education, NGOs' election observation efforts ensured that the election was transparent. In Nigeria, NGOs successfully pressured the National Assembly and the Federal Cabinet to transfer power to the then vice president because of the president's ill health.

Kenya adopted a new constitution in August 2010 establishing a solid legal and institutional framework that promotes good governance, human rights, rule of law, safety, and security for all. NGOs played a critical role educating citizens about the provisions of the constitution both before and after its adoption.

Elections dominated the political landscape in 2010 in several other countries. In Burundi, a highly controversial electoral process was marked by rising tension and increasing levels of violence, including grenade and arson attacks, targeted assassinations, and arrests. Despite intimidation and threats from those in power, NGOs remained active during the election period. NGOs demanded that political parties publish their programs, monitored the elections, and contributed to revisions of the electoral law. Tanzania held general elections on October 30. NGOs debated the independence and impartiality of the National Election Commission (NEC) and engaged in civic and voter education and election observation. In Zanzibar, NGOs

¹ The term “NGO” is sometimes applied to a relatively narrow group of officially registered organizations. In this publication, the term “NGO” refers to nonprofit civil society organizations, whether registered or unregistered—including membership associations, advocacy organizations, community-based organizations (CBOs), service delivery organizations, and faith-based organizations (FBOs).

were heavily engaged in discussions that led to a new constitution and a government of national unity. NGOs in Liberia and Uganda undertook a multitude of activities in preparation for elections in 2011.

Meanwhile, NGOs in countries as diverse as Ethiopia and South Africa faced increased pressure from the government. In Ethiopia, a virtual political monopoly has allowed the Ethiopian People's Revolutionary Democratic Front (EPRDF) to curtail sharply freedoms of speech, assembly, and association. NGOs are essentially prohibited from engaging in activities addressing controversial subjects such as human rights and conflict resolution, as described in more detail below. In South Africa, NGOs are pushing back against a shift in governmental policy and practice towards centralization. In 2010, South African NGOs were subjected to increasing political pressure from the government, including the withdrawal or rejection of funding to NGOs that are critical of the government. Interestingly, this trend has especially affected social service organizations, which are more likely to rely on government funding.

There is great diversity in the levels of development of the various NGO sectors examined in this report. However, they all continue to be works in progress: not a single score for the Africa Index falls within the highest category of development—Sustainability Enhanced. Over two-thirds of the countries covered in the Index continue to fall in the middle stage, Sustainability Evolving, with the remaining six—Democratic Republic of the Congo (DRC), Burundi, Gabon, Ethiopia, Guinea, and Angola—in Sustainability Impeded, the lowest stage.

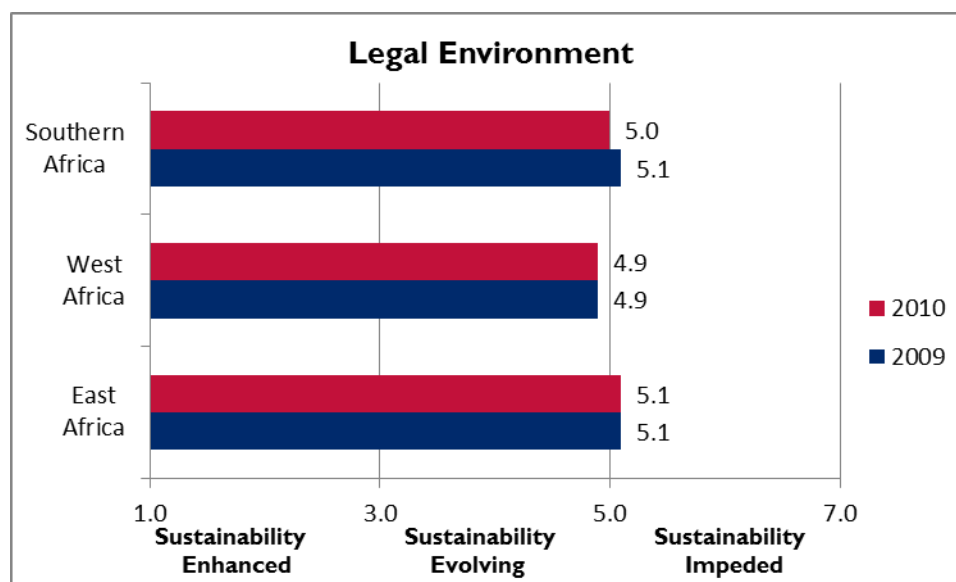
South Africa continues to have the strongest NGO sector among the countries covered in this year's report. In addition to having the highest overall score, South Africa has the best scores in each individual dimension with the exception of infrastructure. At the other end of the spectrum, Angola has the lowest overall score, but shares the bottom position on particular dimensions with Ethiopia (legal environment and advocacy), Burundi (organizational capacity), and Guinea (financial viability and infrastructure).

No distinct subregional trends are discernible in this year's NGO Sustainability Index. In fact, the three top-scoring countries include one from each subregion—South Africa, Kenya (East Africa), and Senegal (West Africa), as do the three lowest-scoring countries—Angola (Southern Africa), Guinea (West Africa), and Ethiopia (East Africa). Regional averages for overall sustainability are almost identical.

Last year's inaugural NGO Sustainability Index for Sub-Saharan Africa focused on setting an accurate baseline that described the state of the NGO sectors in the countries covered. With another year of data available that provides a more robust picture of the NGO sectors in these countries, it became apparent that some of the original scores needed adjustment to ensure reasonable cross-country comparisons. Therefore, the Editorial Committee retroactively recalibrated some of the 2009 scores for Burundi, DRC, Ghana, Kenya, Liberia, Mali, Mozambique, Rwanda, Senegal, Sierra Leone, and Tanzania. The changes in scores for individual dimensions resulted in a slight change in the overall sustainability score for Burundi, DRC, Liberia, and Mali. These changes were not made lightly, and the Editorial Committee is confident that these minor adjustments will improve the comparability of scores between countries and over time in this and future Indexes. The 2009 scores indicated in this publication are the revised scores.

Legal Environment

The political environment and legal framework within which NGOs operate significantly affect their ability to fulfill their service provision and advocacy roles. The legal environments for NGOs in Sub-Saharan Africa vary greatly. NGOs in South Africa benefit from the most permissive legal environment among the countries covered by this year's Index, although they are experiencing a gradual encroachment on their freedoms and increasing political pressure from the government, including the withdrawal or rejection of funding to NGOs that are critical of the government.



Several countries improved the operating environment for NGOs during 2010. The legal environment for NGOs in Kenya improved significantly with the adoption on August 27, 2010 of a new constitution that protects the freedom of association, thus providing civil society with a strong legal basis on which to operate. NGO registration in Ghana was eased by the decentralization of the registration process. NGO registration in Liberia was also eased in 2010 with the establishment of a one-stop shop for registration; however, online registration, also expected to become available in 2010, was delayed due to a change in leadership in the NGO Coordination Unit at the Ministry of Planning. After years of advocacy by NGOs in Mali, the government finally amended the NGO law in 2010 to decentralize the distribution of government funds to NGOs.

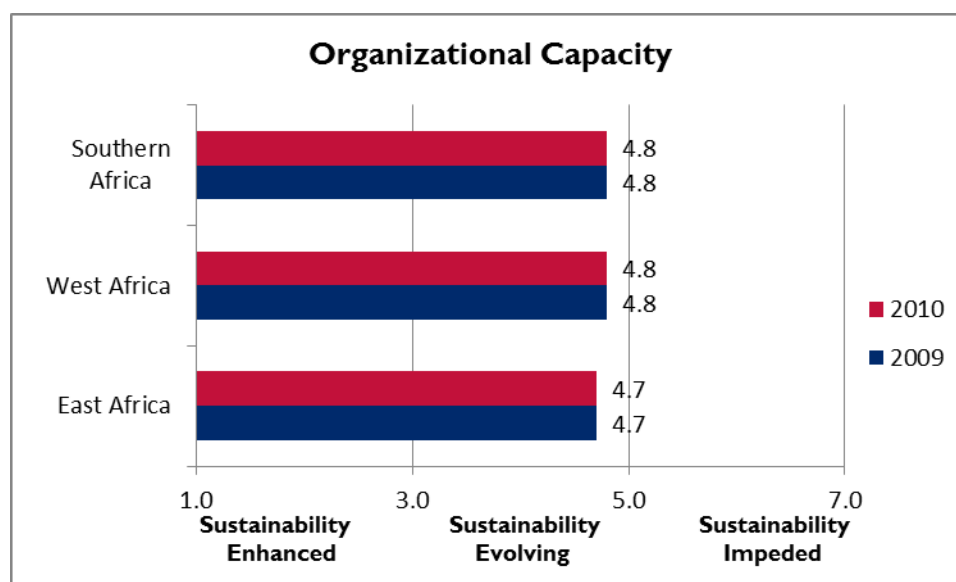
Intolerant governments that are fearful of NGOs’ power and influence often use the legal environment to exert control over NGOs. Ethiopia has one of the most restrictive legal environments in Sub-Saharan Africa. Ethiopia’s Charities and Societies Proclamation, which came into force in September 2009, dramatically restricts NGOs’ freedom of operation and access to foreign funds. NGOs must now choose whether to register as Ethiopian, Ethiopian resident, or foreign organizations. Ethiopian organizations must receive the vast majority of their funding from Ethiopian sources; no more than 10% of revenues can be received from foreign sources. Resident and foreign organizations, on the other hand, can receive unlimited foreign funds, but are restricted from working in the critical policy areas of human rights, gender equality, rights of children and the disabled, conflict resolution, and efficiency of the justice sector.

The environment in which NGOs operate deteriorated in several other countries during 2010 as well. In DRC, NGOs that focus on the promotion and defense of human rights have long been subject to intolerance from the government. The situation brutally worsened in 2010 with the murder, abuse, and detainment of civil society activists. Similarly, NGO staff and volunteers working on civic education in advance of Uganda’s 2011 elections faced arrest as well as physical and emotional threats during 2010. NGOs in Senegal were also confronted with a stricter legal environment. In November 2010, the decree governing NGOs was unilaterally modified to give the state more control over NGOs, including an annual review of their funds by the Ministry of Economy and Finance. Senegalese NGOs that dared to criticize government actions or services were also subject to criticism and threats from the government.

NGOs in many countries are eligible for various tax exemptions. However, NGOs in DRC, Gabon, Ghana, Guinea, Liberia, South Africa, Tanzania, and Uganda all report trouble accessing these benefits because of bureaucratic procedures.

There is generally a lack of lawyers specialized in NGO law across Sub-Saharan Africa, and NGOs have a hard time affording those services that do exist.

Organizational Capacity



The organizational capacity dimension measures the internal capacity within the sector, touching on constituency building, strategic planning, internal management and governance, staffing, and technical advancement. Only two countries—Rwanda and Mali—reported any change in their organizational capacity this year. Rwandan NGOs strengthened their organizational capacity with the support of different donor programs that focused on operational capacities, outreach and advocacy skills, and governance functions. In Mali, NGOs are increasingly using internal manuals and meetings to organize their work, and are benefiting from an increase in volunteerism by youth and retirees.

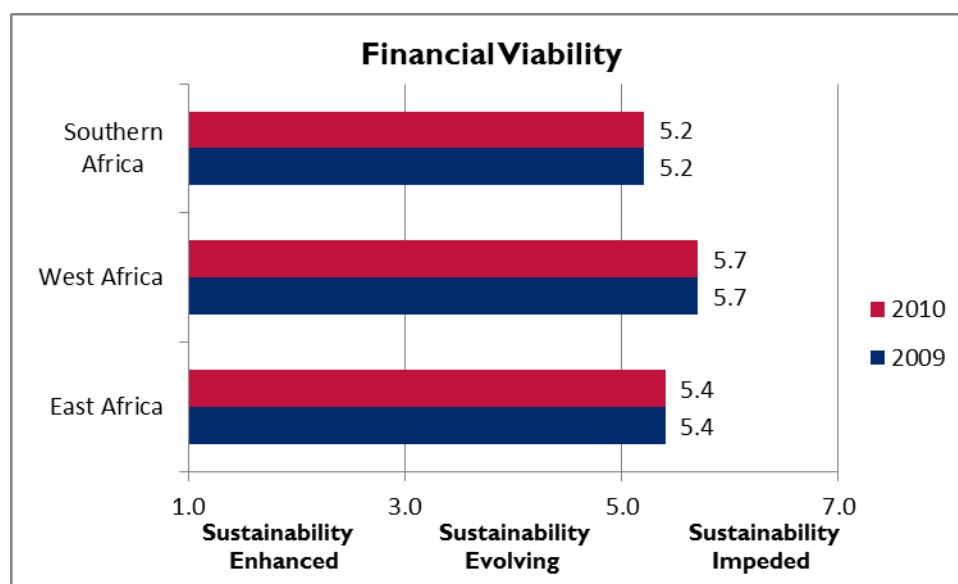
Separating management and governance functions within an NGO is a common problem throughout Sub-Saharan Africa. NGO founders often make all decisions on behalf of an NGO, and boards of directors frequently exist only on paper. For example, while NGOs in Angola are legally required to have boards, a study by World Learning concludes that less than 10% of NGO boards have met since their organizations were created. In most organizations, a single person—often the founder—both sets policies and holds executive powers.

Due to financial constraints, many NGOs are unable to pay competitive salaries to their staffs. As a result, NGOs suffer from high turnover. Mozambique, Rwanda, and South Africa all report that NGOs often lose staff to jobs in international NGOs, government agencies, or businesses that are able to offer more stability and better benefits.

Volunteers serve as the backbone of the sector in many countries. In Rwanda, many NGOs depend on the efforts of local volunteers. In Mali, the Agency for the Employment of Youth (APEF) placed 2,000 youth volunteers in NGOs in 2010; retirees in Mali also offer their services to NGOs on a volunteer basis. NGOs may find that relying on volunteers has its costs, however. Mozambique and Senegal both report that NGOs often grant volunteers stipends or transportation costs to keep them engaged. In addition, NGOs may find it difficult to find the right mix of skills in the volunteer workforce and keep volunteers engaged over the long-term, complicating their efforts to engage in longer-term project planning and implementation.

Strategic planning by NGOs across Sub-Saharan Africa remains a largely academic exercise, if it is done at all, as missions and plans change frequently according to the availability of donor funding.

Financial Viability



Financial viability continues to bedevil African NGO sectors. Financial viability remains the lowest scoring dimension for nearly all countries, and is the only dimension in which the average scores for all three subregions remain in Sustainability Impeded. Only five countries—South Africa, Kenya, Tanzania, Mozambique, and Senegal—score in the Sustainability Evolving category, and four of these five are near the bottom of the stage.

Only one country—Mali—registered an improvement in the financial viability dimension in 2010, largely as a result of a significant new donor-funded civil society support program. Several other countries reported a worse financial situation in 2010. Ethiopian NGOs were in a dramatically more difficult position as a result of the new law that essentially bars foreign funding of advocacy organizations. Several donor programs came to a close in Ghana, reducing the availability of funding to the sector. In Guinea, NGOs continue to suffer from an economic embargo that froze assistance to the country after the 2009 coup; although donors tentatively started to return in 2010, they have not yet resumed their previous level of support for NGOs. In South Africa, Regency Foundation Networkx estimates that overall funding for NGOs declined by R3 billion (approximately \$367 million) from 2009 levels, largely as a result of the global economic recession.

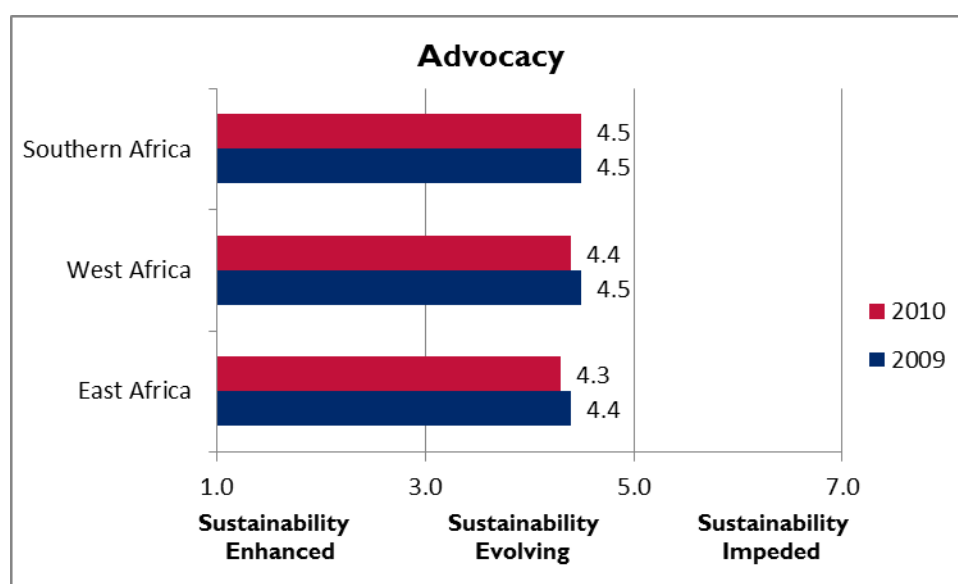
NGOs throughout Sub-Saharan Africa continue to be largely dependent on foreign donors. The global financial crisis continued to impact the availability of funding for NGOs, with Angola, Burundi, DRC, and Uganda all noting a drop in foreign support. In the case of Zimbabwe, NGOs suffered as donor funding shifted from NGOs to the government in order to support the inclusive government, which is made up of the three main political parties and has governed the country since February 2009.

Reliance on donor funding has other consequences as well. For example, the Mozambique report notes that NGOs continue to be more accountable to their donors than to their own constituents. In Kenya, where foreign funders account for 88% of NGO funding, NGOs are considered as foreign-funded agencies with donor-driven agendas as opposed to locally rooted organizations, thereby hurting NGOs' efforts to raise funds locally.

Corporate funding, particularly from multinational oil and mining companies, is sporadically emerging in some countries, including Guinea, Nigeria, and Liberia. However, this support tends to be limited to NGOs operating in oil-producing or mineral-rich regions and is generally focused on social services and the arts; human rights and governance NGOs are generally unable to tap into these funding sources. In Sierra Leone, corporations are legally required to spend 3% of their annual profits on corporate social responsibility (CSR), although there is little evidence that this provision is enforced. Those companies that do engage in CSR tend to channel their support to ad hoc community-based groups as opposed to mainstream NGOs.

As the funding situation grows even more difficult, NGOs are beginning to get creative about other means to generate funding, including income generating activities. In Senegal, many NGOs have started charging fees for their services to generate income. One particularly successful example is the Union for Solidarity and Mutual Aid, which uses the revenues generated from providing ophthalmologic surgical services to expand its activities and cover part of its operational costs.

Advocacy



Advocacy continues to be an area of strength for NGOs across Sub-Saharan Africa, with regional averages for this dimension ranking second only to those for service provision in all three subregions. NGOs in 11 countries reported strides in advocacy in 2010. Kenyan NGOs registered a huge improvement in advocacy from their role in shaping the new constitution. NGOs engaged in extensive civic education activities both before and after the constitution was promulgated to ensure that citizens were aware of the new provisions. Despite their advocacy success this year, Kenyan NGOs still lament the lack of legal frameworks encouraging public participation, with some NGOs complaining that the relationship between NGOs and the government is governed by “the three T’s”: the government Invites NGOs to a meeting, Informs them about a policy, and then Ignores their proposals.

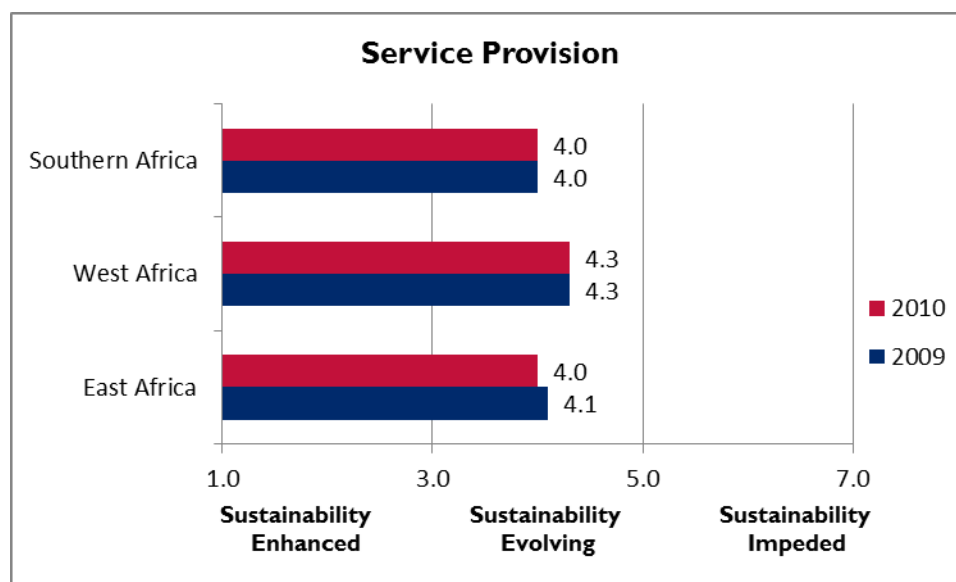
As described earlier, NGOs were at the forefront of the fight for the return to constitutional order in Guinea. In particular, the National Council of Guinean CSOs (CNOSCG) led the platform that pressured the junta to step down, leading to the establishment of transitional bodies and presidential elections in November 2010. CNOSCG members also served as delegates in the transitional bodies.

NGOs in Burundi tackled corruption and played a key role in the country’s highly controversial electoral process. In Tanzania, NGOs pushed the government to take the constitutional requirement for public

participation in decision making seriously. As a result, the government is beginning to consult regularly with NGOs before passing any policy or enacting any legislation.

On the other end of the spectrum, advocacy by Ethiopian NGOs was further weakened by the Charities and Societies Proclamation. As a result of the restrictions imposed by this law, many NGOs that previously engaged in advocacy ceased operating, while others changed their mandates to various service delivery areas. Furthermore, the Charities and Societies Proclamation forbids service-providing NGOs from educating their beneficiaries about their rights or advocating for related policy changes. In light of this dire situation, Ethiopia remains the lowest scoring country in the advocacy dimension.

Service Provision



NGOs across Sub-Saharan Africa provide valuable services to their communities in areas such as health, education, water and sanitation, agriculture, environmental protection, energy provision, and housing. Service provision remains the strongest dimension of NGO sustainability. In addition to hosting the highest individual score on the Index (a 3.2 for South Africa), service provision has the highest subregional average across the board and is the highest scoring category for the vast majority of countries covered by the Index. Only three countries—Gabon, Guinea, and Angola—fall into the Sustainability Impeded category for this dimension.

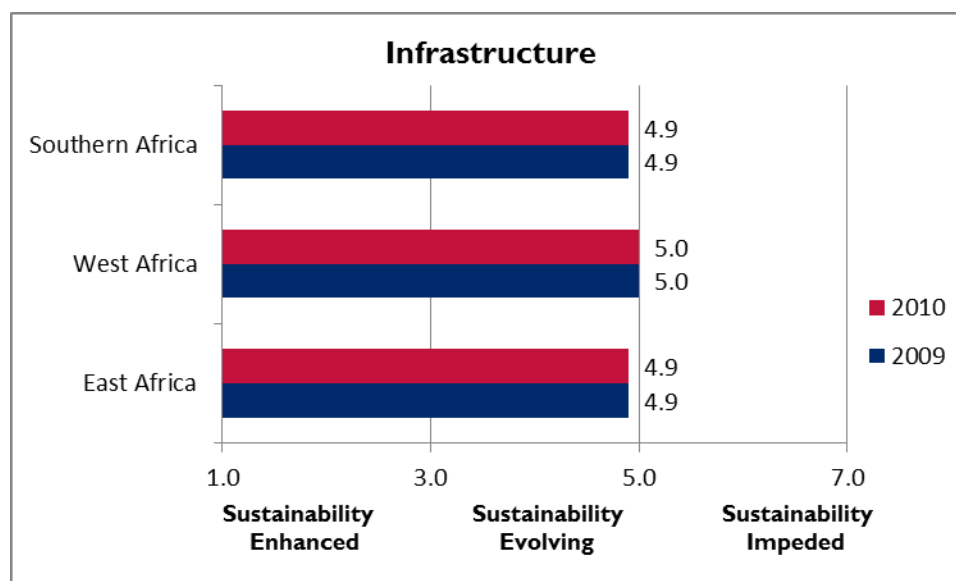
Three countries reported an improvement in service provision during 2010. In Ethiopia, the Charities and Societies Proclamation has driven NGOs, including some that formerly engaged in advocacy work, towards service provision. Kenyan NGOs provide extensive services. According to the NGO Board, in 2009/2010 NGOs provided KES 27 billion (approximately \$288 million) in relief and health services, KES 21 billion (approximately \$224 million) in HIV and AIDS services, and KES 7 billion (approximately \$74 million) in agriculture and water and sanitation services. In Sierra Leone, national and local governments increasingly partner with NGOs to fill gaps in social service provision, thereby raising the visibility of the sector. At the same time, NGOs are increasingly using assessments to identify the needs of the communities they serve and tailor their projects accordingly.

Mali was the only country registering a decline in service provision this year. NGOs are providing fewer services there as donors have started providing direct budgetary support to the government, which has not been transferred to NGOs.

Although there are notable exceptions, NGOs throughout Sub-Saharan Africa rarely charge fees for the services they provide, relying instead on donor funding, whether from foreign donors or governments. Communities served are generally poor and are used to receiving free services.

Government support of NGO service provision, through either contracts or grants, varies greatly from country to country. NGOs in Ghana receive no government support, and the government of Guinea rarely provides NGOs with direct contracts. In Nigeria, the government awards contracts to NGOs, but generally only to those NGOs with personal connections to the government. In Gabon, the government recognizes the contributions of NGOs, but government grants and contracts to NGOs are still minimal. However, Gabonese NGOs do benefit from sub-contracts through companies and institutions, including international NGOs, which have been awarded government contracts.

Infrastructure



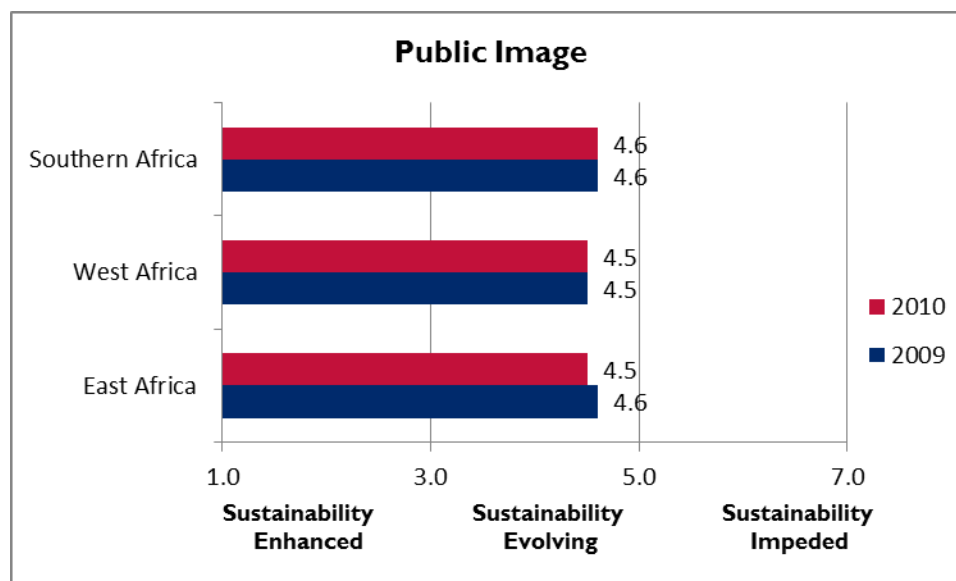
NGOs have more opportunities to thrive when they have access to a strong sectoral infrastructure that can provide them with training, information, and networking services. Unfortunately, to date NGO infrastructure in Sub-Saharan Africa remains somewhat weak, with averages in all three subregions hovering at the very bottom of the Sustainability Evolving category. Kenya and South Africa host the strongest infrastructure, while NGOs in Angola, Burundi, and DRC suffer from an exceptionally weak infrastructure.

While traditional intermediary support organizations (ISOs), resource centers, and local grant-making organizations tend to be weak and vulnerable to shifts in donor funding across Sub-Saharan Africa, networking and coalition building is thriving in many countries. For example, collective work by NGOs in Uganda grew exponentially in 2010 through coalitions such as the Citizens' Manifesto group, the Coalition on Oil and Gas, and the Citizens' Coalition on Electoral Democracy in Uganda (CCEDU). Networks of faith-based organizations involved in service delivery and other service delivery organizations continue to be active. NGOs in South Africa also stepped up their efforts to build networks and coalitions to give civil society a stronger voice at the national level. For example, the Right to Know Coalition opposes draft legislation that would curtail access to information and criminalize whistleblowing on state activity.

Public Image

NGOs in most Sub-Saharan African countries face difficulties getting media coverage. In many countries, NGOs have to pay to get any coverage at all. Despite this, the public generally recognizes the good work that

NGOs do in their communities. Liberia and Sierra Leone both noted that while the public generally appreciates the work of NGOs, some people believe NGOs have unlimited resources.



Governments' perception of NGOs, on the other hand, varies significantly. In more democratic regimes, like those in Tanzania, Kenya, and Ghana, the government recognizes the NGO sector as a partner in both service delivery and policy making. The Congolese government is appreciative of the work of faith-based organizations, but has a very negative image of advocacy NGOs, which has worsened over the past year. In both Zimbabwe and Burundi, the government associates NGOs with the political opposition. In Gabon, the government is beginning to recognize the value of NGOs, but denounces or even threatens NGOs that criticize government actions or services.

Self-regulation, including codes of ethics and transparency in operations, is a growing concern among African NGOs, although progress in this area is slow. Echoing a sentiment from other countries as well, Rwanda reports that there are no serious demands for accountability from the public; therefore NGO efforts to be transparent tend to be aimed at meeting donor requirements. Most countries reported that annual reports are only produced by leading NGOs, and these are generally aimed at donors.

Burundi, Senegal, Tanzania, and Sierra Leone are among the few countries reporting the existence of a code of ethics adhered to by a large group of NGOs. NGOs in Uganda helped develop the NGO Quality Assurance Certification Mechanism (QuAM), an NGO sector-wide voluntary self-regulatory framework, several years ago. However, fewer than 10 NGOs went through QuAM in 2010, throwing its future into question.

CONCLUSION

This year's NGO Sustainability Index for Sub-Saharan Africa illustrates both the accomplishments of NGO sectors over the past year and the challenges that remain. By providing comparative data, NGO activists, policymakers, and the international community will be able to track trends and utilize this information when determining priorities and approaches.

SECTION I: DIMENSIONS OF NGO SUSTAINABILITY

Seven different dimensions of the NGO sector are analyzed in the NGO Sustainability Index: legal environment, organizational capacity, financial viability, advocacy, service provision, NGO infrastructure, and public image. In the Index, each of these dimensions is examined with a focus on the following questions:

1. What has been accomplished?
2. What remains a problem?
3. Do local actors recognize the nature of outstanding challenges?
4. Do local actors have a strategy and the capacity to address these challenges?

A brief explanation of the criteria used to evaluate each dimension of sustainability follows:

Legal Environment

For an NGO sector to be sustainable, the legal and regulatory environment should support the needs of NGOs. It should facilitate new entrants, help prevent governmental interference, and give NGOs the necessary legal basis to engage in appropriate fundraising activities and legitimate income-producing ventures. The legal environment dimension of the Index analyzes the legal status of nongovernmental organizations. Factors shaping the legal environment include the ease of registration; legal rights and conditions regulating NGOs; and the degree to which laws and regulations regarding taxation, procurement, access to information and other issues benefit or deter NGOs' effectiveness and viability. The extent to which government officials, NGO representatives, and private lawyers have the legal knowledge and experience to work within and improve the legal and regulatory environment for NGOs is also examined.

Questions asked include: Is there a favorable law on NGO registration? In practice, are NGOs easily able to register and operate? Is the internal management, scope of permissible activities, financial reporting, and/or dissolution of NGOs well detailed in current legislation? Does clear legal terminology preclude unwanted state control over NGOs? Is the law implemented in accordance with its terms? Are NGOs protected from the possibility of the state dissolving an NGO for political/arbitrary reasons? Are NGOs and their representatives allowed to operate freely within the law? Are they free from harassment by the central government, local governments, and tax police? Can they freely address matters of public debate and express criticism? Are there local lawyers who are trained in and familiar with NGO law? Is legal advice available to NGOs in the capital city and in secondary cities? Do NGOs receive any sort of tax exemption or deduction on income from grants, endowments, fees, or economic activity? Do individual or corporate donors receive tax deductions? Does legislation exist that allows NGOs to earn income from the provision of goods and services? Are NGOs allowed legally to compete for government contracts/procurements at the local and central levels?

Organizational Capacity

A sustainable NGO sector will contain a critical mass of NGOs that are transparently governed and publicly accountable, capably managed, and that exhibit essential organizational skills. The organizational capacity dimension of the Index addresses the operation of NGOs.

Questions evaluated include: Do NGOs clearly identify and actively seek to build local constituencies for their initiatives? Are they successful in these endeavors? Do NGOs have clearly defined missions to which they adhere? Do NGOs have clearly defined strategic plans and incorporate strategic planning techniques in their decision making processes? Is there a clearly defined management structure within NGOs, including a recognized division of responsibilities between the board of directors and staff members? Does the board actively engage in the governance of the NGO? Do the boards of directors operate in an open and transparent manner, allowing contributors and supporters to verify appropriate use of funds? Are NGOs able to maintain permanent, paid staff? Do NGOs have adequate human resources practices for staff, including contracts, job descriptions, payroll and personnel policies? Are potential volunteers sufficiently recruited and engaged? Do NGOs utilize professional services such as accountants, IT managers, or lawyers? Do NGOs' resources generally allow for modernized basic office equipment (relatively new computers and software, cell phones, functional fax machines/scanners, internet access, etc.)?

Financial Viability

A critical mass of NGOs must be financially viable, and the economy must be robust enough to support NGO self-financing efforts and generate philanthropic donations from local sources. For many NGOs, financial viability may be equally dependent upon the availability of and their ability to compete for international donor support funds.

Factors influencing the financial viability of NGOs include the state of the economy, the extent to which philanthropy and volunteerism are being nurtured in the local culture, and the extent to which government procurement and commercial revenue-raising opportunities are being developed. The sophistication and prevalence of fundraising and strong financial management skills are also considered.

Questions asked under this dimension include: Do NGOs raise a significant percentage of their funding from local sources? Are NGOs able to draw upon a core of volunteer and nonmonetary support from their communities and constituencies? Are there local sources of philanthropy? Do NGOs typically have multiple, diverse sources of funding? Do most NGOs have enough resources to remain viable for the short-term future? Are there sound financial management systems in place? Do NGOs typically operate in a transparent manner, including independent financial audits and the publication of annual reports with financial statements? Have many NGOs cultivated a loyal core of financial supporters? Do NGOs engage in any sort of membership outreach and philanthropy development programs? Do revenues from services, products, or rent from assets supplement the income of NGOs? Do government and/or local business contract with NGOs for services? Do membership-based organizations collect dues?

Advocacy

The political and advocacy environment must support the formation of coalitions and networks, and offer NGOs the means to communicate their messages through the media to the broader public, articulate their demands to government officials, and monitor government actions to ensure accountability. The advocacy dimension looks at NGOs' record in influencing public policy. The prevalence of advocacy in different sectors, at different levels of government, as well as with the private sector is analyzed. The extent to which coalitions of NGOs have been formed around issues is considered, as well as whether NGOs monitor party platforms and government performance. This dimension does not measure the level of NGOs' engagement with political parties.

Questions asked include: Are there direct lines of communication between NGOs and policymakers? Do NGOs and government representatives work on any projects together? Have NGOs formed issue-based coalitions and conducted broad-based advocacy campaigns? Have these campaigns been effective at the local level and/or national level in increasing awareness or support for various causes? Are there mechanisms and relationships for NGOs to participate in the various levels of the government decision-making processes? Are

NGOs comfortable with the concept of lobbying? Have there been any lobbying successes at the local or national level that led to the enactment or amendment of legislation? Is there awareness in the wider NGO community of how a favorable legal and regulatory framework can enhance NGO effectiveness and sustainability? Is there a local NGO advocacy effort to promote legal reforms that will benefit NGOs, local philanthropy, etc?

Service Provision

Sectoral sustainability will require a critical mass of NGOs that can efficiently provide services that consistently meet the needs, priorities and expectations of their constituents.

The Index reviews questions such as: Do NGOs provide services in a variety of fields, including basic social services and other areas such as economic development, environmental protection, or governance and empowerment? Overall, is the sector's "product line" diversified? Do the goods and services that NGOs provide reflect the needs and priorities of their constituents and communities? Are those goods and services that go beyond basic social needs provided to a constituency broader than NGOs' own memberships? Are some products, such as publications, workshops, or expert analysis, marketed to other NGOs, academia, churches, or government? When NGOs provide goods and services, do they recover any of their costs by charging fees? Do they have knowledge of the market demand and the ability of distinct constituencies to pay for those products? Does the government, at the national and/or local level, recognize the value that NGOs can add in the provision and monitoring of basic social services? Do they provide grants or contracts to NGOs to enable them to provide such services?

Infrastructure

A strong sectoral infrastructure is necessary that can provide NGOs with broad access to local NGO support services. Intermediary support organizations (ISOs) providing these services must be able to inform, train, and advise other NGOs and provide access to NGO networks and coalitions that share information and pursue issues of common interest.

Questions include: Are there ISOs, NGO resource centers, or other means for NGOs to access relevant information, technology, training, and technical assistance throughout the country? Do ISOs and NGO resource centers meet the needs of local NGOs? Do ISOs and resource centers earn some of their operating revenue from earned income (such as fees for service) and other locally generated sources? Do local community foundations and/or ISOs provide grants, from either locally raised funds or by re-granting international donor funds, to address locally identified needs and projects? Do NGOs share information with each other? Is there a network in place that facilitates such information sharing? Is there an organization or committee through which the sector promotes its interests?

Are there capable local NGO management trainers? Is basic NGO management training available in the capital city and in secondary cities? Is more advanced specialized training available in areas such as strategic management, accounting, financial management, fundraising, volunteer management, and board development? Do trainings meet the needs of local NGOs? Are training materials available in local languages? Are there examples of NGOs working in partnership, either formally or informally, with local business, government, and the media to achieve common objectives? Is there awareness among the various sectors of the possibilities for and advantages of such partnerships?

Public Image

For the sector to be sustainable, government, the business sector, and communities should have a positive public image of NGOs, including a broad understanding and appreciation of the role that NGOs play in society. Public awareness and credibility directly affect NGOs' ability to recruit members and volunteers and encourage indigenous donors. The Index looks at the extent and nature of the media's coverage of NGOs,

the awareness and willingness of government officials to engage NGOs, as well as the public's knowledge and perception of the sector as a whole.

Typical questions in this section include: Do NGOs enjoy positive media coverage at the local and national levels? Is a distinction made between public service announcements and corporate advertising? Do the media provide positive analysis of the role NGOs play in civil society? Does the general public have a positive perception of NGOs? Does the public understand the concept of an NGO? Is the public supportive of NGO activity overall? Do the business sector and local and central government officials have a positive perception of NGOs? Do they rely on NGOs as a community resource, or as a source of expertise and credible information? Do NGOs publicize their activities or promote their public image? Have NGOs developed relationships with journalists to encourage positive coverage? Have NGOs adopted a code of ethics or tried to demonstrate transparency in their operations? Do leading NGOs publish annual reports?

SECTION 2: RATINGS – A GENERAL DEFINITION

The NGO Sustainability Index uses a seven-point scale, with 1 representing the highest and 7 the lowest level of sustainability. These scores are clustered into three general stages: Sustainability Enhanced (1 to 3), Sustainability Evolving (3.1 to 5), and Sustainability Impeded (5.1 to 7). The following broad guidelines can be used in determining scores for individual indicators and dimensions:

1. NGO sector's sustainability enhanced significantly by practices/policies in this area. While the needed reforms may not be complete, the local NGO community recognizes which reforms or developments are still needed, and has a plan and the ability to pursue them itself.
2. NGO sector's sustainability enhanced by practices/policies in this area. Local NGO community demonstrates a commitment to pursuing reforms and developing its professionalism in this area.
3. NGO sector's sustainability somewhat enhanced by practices/policies in this area or commitment to developing the aspect in question is significant.
4. NGO sector's sustainability minimally affected by practices/policies in this area. Progress may be hampered by a stagnant economy, a passive government, a disinterested media, or a community of good-willed but inexperienced activists.
5. NGO sector's sustainability somewhat impeded by practices/policies in this area. Progress may be hampered by a contracting economy, authoritarian leader and centralized government, controlled or reactionary media, or a low level of capacity, will, or interest on the part of the NGO community.
6. NGO sector's sustainability impeded by practices/policies in this area. A hostile environment and low capacity and public support prevent the growth of the NGO sector.
7. NGO sector's sustainability significantly impeded by practices/policies in this area, generally as a result of an authoritarian government that aggressively opposes the development of independent NGOs.

SECTION 3: RATINGS – A CLOSER LOOK

The following sections go into greater depth about the characteristics in each of the seven dimensions of the sector's development. These characteristics and stages are drawn from empirical observations of the sector's development in the region, rather than a causal theory of development. Given the decentralized nature of NGO sectors, many contradictory developments may be taking place simultaneously. Therefore we do not attempt to break out the characteristics of the seven dimensions into seven distinct steps of development. Instead, these characteristics are clustered into three basic stages: Sustainability Enhanced, Sustainability Evolving, and Sustainability Impeded. The Sustainability Enhanced stage, the highest level of sustainability and development, corresponds to a score between 1 and 3 points; the Sustainability Evolving stage corresponds to a score between 3.1 and 5 points; and the lowest level of development, the Sustainability Impeded stage, corresponds to a score of 5.1 to 7 points on the scale.

Legal Environment

Sustainability Enhanced (1-3): The legislative and regulatory framework makes special provisions for the needs of NGOs or gives not-for-profit organizations special advantages such as significant tax deductions for business or individual contributions, significant tax exemptions for NGOs, open competition among NGOs to provide government-funded services, etc. Legal reform efforts at this point are primarily a local NGO advocacy effort to reform or fine-tune taxation laws, procurement processes, etc. Local and comparative expertise on the NGO legal framework exists, and legal services and materials are available.

Sustainability Evolving (3.1-5): NGOs have little trouble registering and do not suffer from state harassment. They are permitted to engage in a broad range of activities, although taxation provisions, procurement procedures, etc. may inhibit NGO operations and development. Programs seek to reform or clarify existing NGO legislation, to allow NGOs to engage in revenue raising and commercial activities, to allow national or local governments to privatize the provision of selected government services, to address basic tax and fiscal issues for NGOs, etc. The local NGO community understands the need to coalesce and advocate for legal reforms benefiting the NGO sector as a whole. A core of local lawyers begins to specialize in NGO law by providing legal services to local NGOs, advising the NGO community on needed legal reforms, crafting draft legislation, etc.

Sustainability Impeded (5.1-7): The legal environment severely restricts the ability of NGOs to register and/or operate, either through the absence of legal provisions, the confusing or restrictive nature of legal provisions (and/or their implementation), or government hostility towards and harassment of NGOs.

Organizational Capacity

Sustainability Enhanced (1-3): Several transparently governed and capably managed NGOs exist across a variety of sectors. A majority of organizations have clearly defined mission statements, and many NGOs utilize strategic planning techniques. Boards of directors exist, and there is a clear distinction between the responsibilities of board members and staff. NGOs have permanent well-trained staff, and volunteers are widely utilized. Most NGOs have relatively modern equipment that allows them to do their work efficiently. Leading NGOs have successfully developed strong local constituencies.

Sustainability Evolving (3.1-5): Individual NGOs demonstrate enhanced capacity to govern themselves and organize their work. Some individual NGOs maintain full-time staff members and boast an orderly division of labor between board members and staff. NGOs have access to basic office equipment, including computers and fax machines. While these efforts may not have reached fruition yet, leading NGOs understand the need for, and are making an effort to develop, local constituencies.

Sustainability Impeded (5.1-7): NGOs are essentially "one-man shows," completely dependent upon the personality of one or two major figures. They often split apart due to personality clashes. NGOs lack a clearly defined sense of mission. At this stage, NGOs reflect little or no understanding of strategic planning or program formulation. Organizations rarely have a board of directors, by-laws, staff, or more than a handful of active members. NGOs have no understanding of the value or need of developing local constituencies for their work.

Financial Viability

Sustainability Enhanced (1-3): A critical mass of NGOs have sound financial management systems in place, including independent audits and the publication of annual reports with financial statements, to win potential donors' confidence. NGOs raise a significant percentage of their funding from local sources, including government, corporate and individual philanthropy, and earned income. Most NGOs have multiple sources of funding, which allow them to remain viable in the short term. A growing economy makes growth in domestic giving possible.

Sustainability Evolving (3.1-5): NGOs pioneer different approaches to financial independence and viability. While still largely dependent on foreign donors, individual NGOs experiment with raising revenues through providing services, winning contracts and grants from municipalities and ministries to provide services, or attempting to attract dues-paying members or domestic donors. However, a depressed local economy may hamper efforts to raise funds from local sources. Training programs address financial management issues, and NGOs begin to understand the importance of transparency and accountability from a fundraising perspective, although they may be unable to fully implement transparency measures.

Sustainability Impeded (5.1-7): New NGOs survive from grant to grant and/or depend financially on one foreign sponsor. While many NGOs are created in the hopes of receiving funding, most are largely inactive after attempts to win foreign donor funding fail. Local sources of funding are virtually nonexistent, in part due to a depressed local economy. NGOs have no financial management systems and do not understand the need for financial transparency or accountability.

Advocacy

Sustainability Enhanced (1-3): The NGO sector demonstrates the ability and capacity to respond to changing needs, issues, and interests of the community and country. As NGOs secure their institutional and political base, they begin to (1) form coalitions to pursue issues of common interest, including NGO legislation; (2) monitor and lobby political parties; and (3) monitor and lobby legislatures and executive bodies. NGOs demonstrate the ability to mobilize citizens and other organizations to respond to changing needs, issues, and interests. NGOs at this stage of development will review their strategies, and possess an ability to adapt and respond to challenges by sector. A prime motivator for cooperation is self-interest: NGOs may form alliances around shared issues confronting them as nonprofit, nongovernmental organizations.

Sustainability Evolving (3.1-5): Narrowly defined advocacy organizations emerge and become politically active in response to specific issues. Organizations at the evolving level of development may often present their concerns to inappropriate levels of government (local instead of national and vice versa). Weakness of the legislative branch might be revealed or incorrectly assumed, as activists choose to meet with executive branch officials instead ("where the power truly lies"). Beginnings of alternative policy analysis are found at universities and think tanks. Information sharing and networking within the NGO sector to inform and advocate its needs within the government begin to develop.

Sustainability Impeded (5.1-7): Broad umbrella movements, composed of activists concerned with a variety of sectors and united in their opposition to the old regime, fall apart or disappear. Some countries at this stage have not even experienced any initial burst of activism. Economic concerns become predominant

for most citizens. There may be an increase in passivity, cynicism, or fear within the general public. NGO activists are afraid to engage in dialogue with the government, feel inadequate to offer their views, and/or do not believe the government will listen to their recommendations. NGOs do not understand the role that they can play in public policy or do not understand the concept of public policy.

Service Provision

Sustainability Enhanced (1-3): Many NGOs provide a wide range of goods and services that reflect community and/or local donor priorities. Many NGOs deliver products beyond basic social services in such sectors as economic development, environmental protection, or democratic governance. NGOs in several sectors have developed a sufficiently strong knowledge of the market demand for their services, the ability of government to contract for the delivery of such services, or other sources of funding including private donations, grants, and fees, where allowed by law. A number of NGOs find it possible to cross-subsidize those goods and services for which full cost recovery is not viable with income earned from more lucrative goods and services, or with funds raised from other sources. Government bodies, primarily at the local level, recognize the abilities of NGOs and provide grants or contracts to enable them to provide various services.

Sustainability Evolving (3.1-5): The contribution of NGOs to covering the gap in social services is recognized by government, although this is only rarely accompanied by funding in the form of grants or contracts. NGOs recognize the need to charge fees for services and other products—such as publications and workshops—but even where legally allowed, such fees seldom cover their costs. While NGO-provided goods and services respond to community needs, needs are generally identified by foreign donors, or by NGOs in an unsystematic manner. The constituency for NGO expertise, reports, and documents begins to expand beyond their own members and the poor to include other NGOs, academia, churches, and government.

Sustainability Impeded (5.1-7): A limited number of NGOs are capable of providing basic social services—such as health, education, relief, or housing—although at a low level of sophistication. Those that do provide such services receive few, if any, government subsidies or contracts. NGOs that produce publications, technical services, or research do so only for their own members or donors. There are rarely attempts to charge fees for goods and services.

Infrastructure

Sustainability Enhanced (1-3): NGO intermediary support organizations (ISOs) and/or NGO resource centers are active in all areas of the country and provide advanced training, informational services, legal support and advice, and philanthropic development activities. Efforts are underway to establish and endow community foundations, indigenous grantmaking institutions, and/or organizations to coordinate local fundraising. A professional cadre of local experts, consultants, and trainers in nonprofit management exists. NGOs recognize the value of training, although the lack of financial resources may remain a constraint to accessing locally provided training. Topics of available training cover legal and tax issues for NGOs, accounting and bookkeeping, communication skills, volunteer management, media and public relations skills, sponsorship, and fundraising. NGOs work together and share information through networks and coalitions. NGOs are beginning to develop intersectoral partnerships with business, government, and the media to achieve common objectives.

Sustainability Evolving (3.1-5): ISOs and resource centers are active in major population centers, and provide services such as distributing grants, publishing newsletters, maintaining a membership database, running a library of NGO literature, and providing basic training and consulting services. Other umbrella organizations and networks are beginning to be formed to facilitate networking and coordinate activities of groups of NGOs. Local trainers have the capacity to provide basic organizational training.

Donors' fora are formed to coordinate the financial support of international donors and to develop local corporate philanthropic activities. The value of intersectoral partnerships has not yet been realized.

Sustainability Impeded (5.1-7): There are few, if any, active ISOs or resource centers, networks and umbrella organizations. Those that do operate work primarily in the capital city and provide limited services such as access to computer equipment, faxes, e-mail, and meeting space. Local training and NGO development capacity is extremely limited and undeveloped. Primarily programs of international donors provide training and technical assistance. There is no coordinated effort to develop philanthropic traditions, improve fundraising, or establish community foundations. NGO efforts to work together are limited by a perception of competition for foreign donor support and mistrust of other organizations.

Public Image

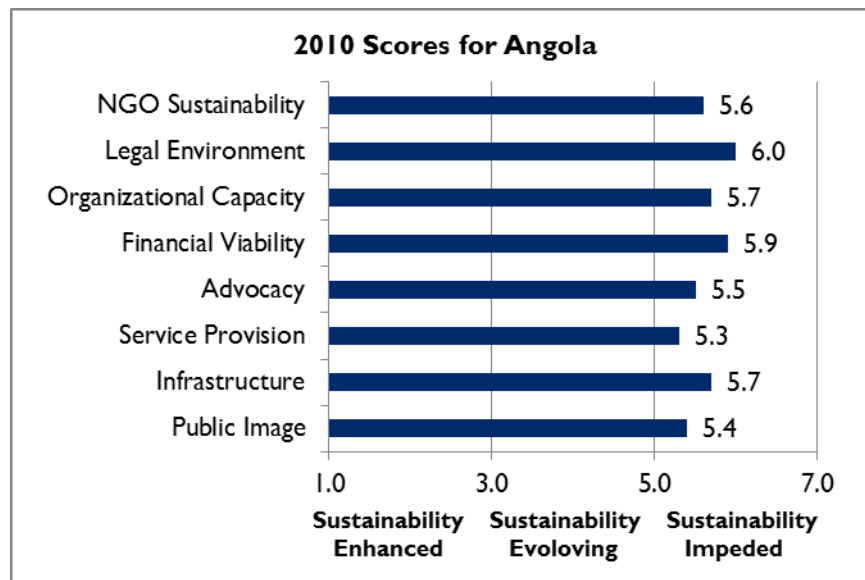
Sustainability Enhanced (1-3): This stage is characterized by growing public knowledge of, and trust in, NGOs and increased rates of volunteerism. NGOs coalesce to mount campaigns to increase public trust. Widespread examples of good working relationships between NGOs and national and local governments exist, and can result in public-private initiatives or NGO advisory committees for city councils and ministries. Media covers the work of NGOs, and NGOs approach media and public relations in a professional manner. Increased accountability, transparency, and self-regulation exist within the NGO sector, including existence of a generally accepted code of ethics or a code of conduct.

Sustainability Evolving (3.1-5): The media does not tend to cover NGOs because it considers them weak and ineffective, or irrelevant. Individual NGOs realize the need to educate the public, to become more transparent, and to seek out opportunities for media coverage, but do not have the skills to do so. As a result, the general population has little understanding of the role of NGOs in society. Individual local governments demonstrate strong working relationships with their local NGOs, as evidenced by their participation in advisory committees, consultations, public-private initiatives, and the funding of an occasional grant, but this is not yet widespread.

Sustainability Impeded (5.1-7): The public and/or government are uninformed or suspicious of NGOs as institutions. Most of the population does not understand the concept of "nongovernmental" or "nonprofit," including government officials, business leaders, and journalists. Media coverage may be hostile due to suspicion of a free but uninformed media, or due to the hostility of an authoritarian government-controlled media. Charges of treason may be issued against NGOs. Due to a hostile atmosphere caused by an authoritarian government, if individuals or businesses donate to NGOs at all, they do so anonymously.

SECTION 4: COUNTRY REPORTS

ANGOLA



Capital:* Luanda

Government Type:
Republic

Population:
13,338,541 (July 2011 est.)

GDP per capita (PPP):
\$8,200 (2010 est.)

Human Development Index: 148 (2011)

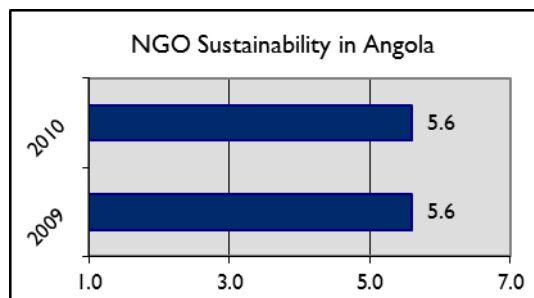
NGO SUSTAINABILITY: 5.6

On paper, the introduction of a multiparty system in Angola in 1991 created notable opportunities for civil society to play a role in building a democratic society. In practical terms, however, Angolan authorities have not fully accepted civil society's advocacy, watchdog, or monitoring functions, and the legal framework remains restrictive. Most organizations are careful in their approach to the government, fearing backlash. For example, in April 2010, the government blocked OMUNGA, an NGO trying to stop the government from illegally evicting youth from their homes and land, from holding a peaceful demonstration, and threatened to arrest anyone demonstrating on the street.

Among other responsibilities, the Unidade Técnica de Coordenação da Ajuda Humanitária (UTCAH) monitors and exercises control of NGOs in the country through a formal registration and supervision process. Nevertheless, the Government of Angola does not have accurate data on NGOs in the country, at either the national or local levels, in part because many registered NGOs are not active and many active NGOs are not registered. The most recent estimates available are from 2007, when there were 127 international NGOs, 464 national NGOs, 25 church organizations, and 19 foundations, not counting the thousands of community-based organizations working



* Capital, government type, population, and GDP in all reports are drawn from the Central Intelligence Agency, The World Factbook, available online at <https://www.cia.gov/library/publications/the-world-factbook/>. Human Development Index rankings available at <http://hdr.undp.org/en/statistics/>.



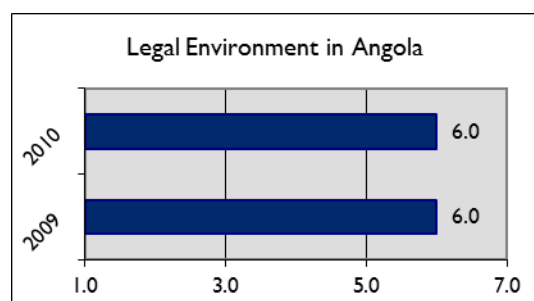
throughout the country. NGOs operate in all regions of the country and in a variety of programmatic fields, including human rights, HIV/AIDS, education, health, and agriculture.

Some international NGOs have taken the initiative to fill the information gap created by UTCAH by gathering data on the work of NGOs in Angola. Notable examples include the Civil Society Organizations Mapping organized by PAANE (the EU-funded Program to Support Non-State Actors) in April 2010 and the Study on the State of Angolan NGOs

conducted by World Learning at the end of 2010, which surveyed 302 NGOs in all eighteen provinces of the country.

Many donors have left Angola in the past few years as a result of the economic crisis and the high cost of operating in the country. As a result of the shortage of funds, many NGOs have stopped functioning. Only 59.9% of the 302 NGOs included in the World Learning study implemented at least one project in 2010. At the same time, the meager salaries NGOs are able to offer prevent them from being able to attract and maintain qualified personnel.

LEGAL ENVIRONMENT: 6.0



The Law on Associations (Law No. 14/91), Law on the Status of Public Utility (Decree No. 5/01), and Regulation of NGOs (Decree No. 84/02) form the backbone of the legal environment for the NGO sector in Angola.

While the laws appear to facilitate the registration of NGOs, the process is extremely lengthy and bureaucratic. As a result, most NGOs have not completed the registration process. Many NGOs find it impossible to obtain all of the documents required to register, in particular notary

certificates, publication of their by-laws in the Government Gazette (Diário da República), and Ministry of Justice certificates. Data from the 2011 World Learning study on the status of NGOs reveals that of the 302 NGOs surveyed, only 85.1% have a Notary Certificate, 81.5% are published in the Government Gazette, and 70.5% have a Certificate of Registration from the Ministry of Justice. In practice, most NGOs require at least five years to obtain these three documents.

NGOs must first register at the local level. NGOs planning to operate nationally must then register at the national level in Luanda. This presents problems for NGOs based outside of the capital as they must travel to the capital repeatedly, which is a very costly venture.

NGOs promoting and defending human rights, including OMUNGA and the Association for Building Communities (ACC), which both focus on land and housing rights, have even greater difficulties registering as the government generally views such organizations as “enemies” in the public policy sphere.

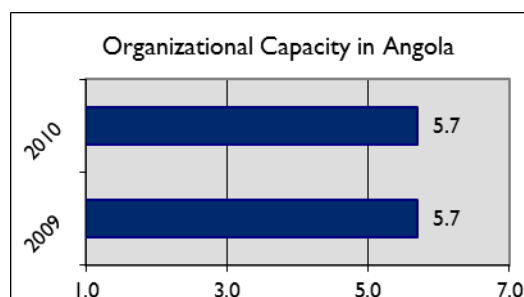
Only NGOs with public utility status are eligible to receive government grants. According to the World Learning study, only 13.2% of NGOs have secured this status, even though the majority of NGOs meet the established criteria. NGOs are hindered from obtaining public utility status by the poor dissemination of information by the government about how to apply for public utility status, ignorance of local municipal administrations on the provisions of the status, and ambiguity on the criteria for acquiring the status. NGOs operated by high-ranking members of the ruling party or their inner circle are more likely to get public utility status and therefore tend to be more powerful and visible. For example, the daughter of the President of Angola runs the Angolan Red Cross (CVA), one of the largest public utility organizations in the country. On

the other hand, some NGOs, including those engaged in advocacy, are not interested in obtaining public utility status in order to maintain their independence. NGOs that obtain public utility status must implement activities according to the interests of the government, and are not allowed to conduct advocacy activities.

A preliminary draft law on associations, called the Law on Private Association, has been in preparation since mid-2006. If passed, the law will tighten the environment for NGOs and forbid NGOs from conducting advocacy activities or organizing demonstrations. The process of preparing the law has lacked transparency: independent NGOs have been excluded from the process and the government has forbidden the circulation of the draft. The only way to obtain a draft of the bill is through personal connections with appropriate government officials

ORGANIZATIONAL CAPACITY: 5.7

Angolan NGOs commonly lack transparency and communicate poorly with their members. While NGOs are legally required to have boards, boards rarely function. According to the World Learning study, less than 10% of NGO boards have met since their organizations were created. In most organizations, a single person - often the founder - both sets policies and holds executive powers. Attempts to appropriately separate powers occasionally lead to the collapse of an organization. For example, when the board of Okutiuka-Benguela, a respected NGO doing community work in war-affected areas, attempted to remove its dynamic executive director due to a lack of accountability and transparency, the director fired all staff and the organization gradually ceased to exist.



Volunteerism is undeveloped in Angola. Because of the high cost of living in the country, people expect to be compensated for their participation in activities.

Most NGOs do not recognize the need for strategic planning. While some NGOs attempt to develop and implement strategic plans, the lack of funding and continuity of staff often interfere with the abilities to sustain such efforts over the long-term.

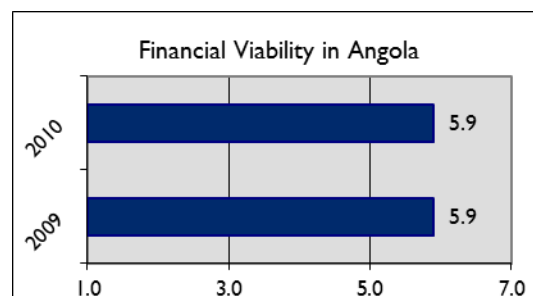
The NGO study produced by World Learning confirms that NGOs have limited technical equipment due to a lack of funding. In addition, NGOs often fail to maintain or properly use equipment. Of the 302 NGOs surveyed in the study, only 26.2% own their own office; 8.9% have no office, while the remainder rent offices or share space with others. 87.7% of surveyed organizations have telephone service, while only 53% have email facilities. 69.2% have computers and 65.2% have printers. Less than half of organizations have postal boxes and fax services. A minority of organizations have their own vehicles (28.1%), small photocopy machines (39.1%), or Internet access (45.4%).

Both the quantity and quality of human resources are limited. Insufficient financial resources to pay staff adequate salaries and provide other benefits make it difficult for Angolan NGOs to maintain talented and skilled staff. Skilled staff often move on to better positions in the government and private sector. Only 50.7% of NGO staff has completed high school and a mere 0.12% are enrolled at a university. At least 48.5% of NGO employees have other jobs; of these, 76.7% work in the public sector

Angolan NGOs have weak human resource management practices. NGOs rarely utilize administrative tools such as contracts, terms of references, salary scales, or staff evaluation systems. The few organizations that have these instruments have developed them to meet the requirements of a single project without incorporating them into their organizational practices. NGOs do not select employees through public job

announcements. Instead, relatives and friends get preference with little regard to their technical skills or familiarity with modern office equipment.

FINANCIAL VIABILITY: 5.9



Most NGOs are unable to achieve financial sustainability, even after a decade of existence. Almost half (49.3%) of the funding received in 2010 by the 302 NGOs included in the World Learning study came from international donors, NGOs, or companies. Membership fees (39.4%) and income generating projects (22.8%) were the second and third major sources of revenue. The government appears in last place in the ranking of sources of funding, providing only 10.6% of the overall funding for these NGOs.

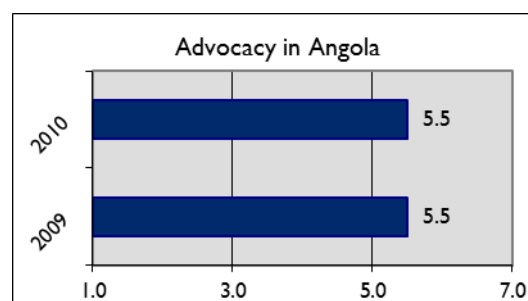
According to the same study, only 4.7% of NGOs received \$200,000 or more from foreign donors, while 40.3% received less than \$50,000. Thirty-two NGOs received government funding. Of these, two received \$200,000 or more from the government, while the remaining thirty received less than \$50,000 in government funding. Public interest NGOs stood out among those organizations receiving government funding, including the CVA and other organizations with close ties to the government.

NGOs receive little local support. In general, NGOs do not maintain a permanent group of donors and do not actively try to increase their memberships or promote philanthropy. Neither government nor local businesses are in the practice of awarding contracts to NGOs for the provision of services. While oil companies do engage in philanthropic practices, their support increasingly goes to foundations operated by government officials.

Several NGOs, including World Learning, have focused on strengthening the financial management systems of Angolan NGOs. However, the lack of funding available to the sector has affected this work. Of the fifty NGOs to which World Learning provided organizational capacity support in 2006, only twenty-two continued to function in September 2010. Lack of transparency remains a problem. With the exception of one NGO - the Juvenile Forum of Support to Health and HIV Prevention (Fojassida) - organizations do not undergo independent annual financial audits or publish financial statements.

ADVOCACY: 5.5

A significant disconnect exists between the government and NGOs at both the local and national levels. The government does not consider NGOs as strategic partners in the implementation of public policies. Those NGOs that have managed to work with the government tend to share the government's agenda and are often operated by people with close personal connections to the government, such as CVA.

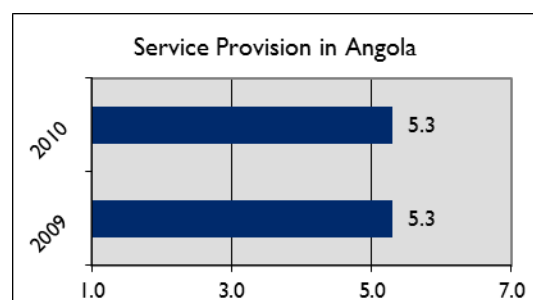


The World Learning study reports that 26.4% of NGOs work in advocacy. NGOs often fail to develop advocacy strategies or to measure their impact in terms of public policy changes. Only a few NGOs, such as OMUNGA and ACC have developed medium- and long-term strategies to influence public policies. Despite their Stop Illegal Evictions campaign, the government has not stopped forcefully removing people from their land.

The weak involvement of Angolan NGOs in advocacy also corresponds to the high levels of poverty in the country, which leads NGOs to focus their attention on the provision of basic services that meet urgent needs. Some NGO leaders also stay away from advocacy because they do not want to upset the government, they are members of the ruling party, or they are waiting for government favors, such as vehicles or houses.

The drafting and adoption of the new Constitution of the Republic of Angola in 2010 is clear evidence of the government's disregard for civil society participation. Despite amendments proposed by OMUNGA and other NGOs, civil society was completely excluded from this process. Similarly, NGOs have been unable to engage with the government on the topic of NGO legal reform.

SERVICE PROVISION: 5.3



NGOs are heavily dependent on foreign financing, but have no say on the funding priorities of donors. When available, foreign funding tends to focus on the process of building democracy and national reconciliation, the AIDS pandemic, and the high rate of illiteracy in Angola. As a result, NGO services often fall within these areas.

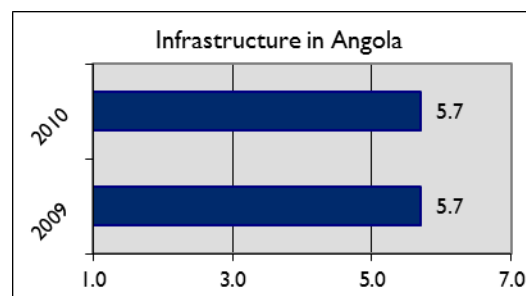
Interventions do not always reflect the needs of target communities, as most donors have poorly-defined agendas and are not open to change. NGOs do not receive

recognition or support from local governments. Beneficiaries pay for some NGO services, but this is the exception.

INFRASTRUCTURE: 5.7

The number of networks, intermediary support organizations (ISOs) and resource centers is negligible. The few that do exist are weak and operate mostly in Luanda, where telephone and Internet connections are more reliable. There are no initiatives by NGOs to establish partnerships with local businesses, government, or media.

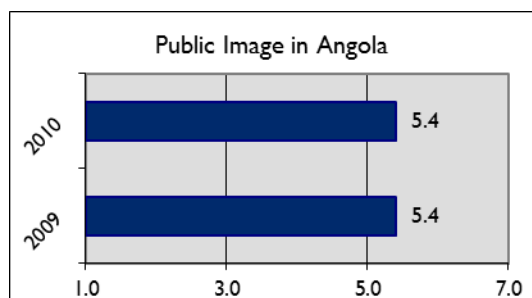
International NGOs, including World Learning, Norwegian People's Aid, and Trocaire, stand out as the largest providers of financial support, communication networks, training, and technical assistance. World Learning works in ten provinces, while Norwegian People's Aid focuses its efforts in Luanda and a few other provinces. Trocaire works in three provinces but is closing its operations in January 2012.



There is a skilled workforce capable of responding to training needs in NGO management. However, such capabilities are mostly concentrated in the capital.

PUBLIC IMAGE: 5.4

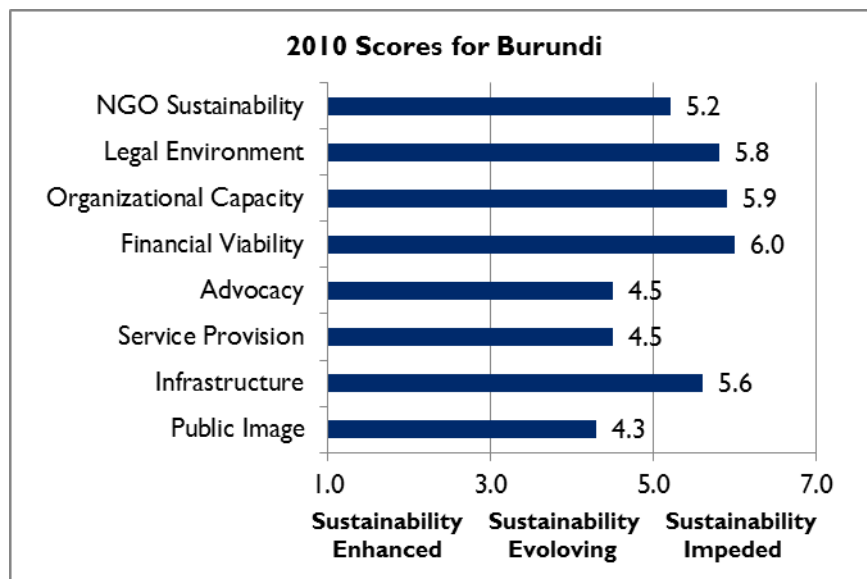
NGOs have low visibility. The media is largely uninterested in NGOs' work and therefore does little to publicize it. Media is largely controlled by the government, which generally sees NGOs as adversaries. NGOs lack a clear media strategy and make little or no use of tools such as community newspapers, newsletters, and the Internet to publicize their actions. OMUNGA, one of the few NGOs that actively promotes its image, has a blog where it regularly shares information.



In many cases, people confuse NGOs with profit-making companies, suggesting that the general populace does not understand the concept of NGOs. Government, on the other hand, presumably understands the role of NGOs, but tends to ignore their existence or treat them as political parties or their affiliates. Like government, businesses recognize NGOs' role in the provision of social services, but have concerns about their legitimacy and difficulties in understanding NGOs' role as advocates.

Most NGOs do not document or publicize their activities. At most, NGOs report to their donor agencies, which are generally based in Europe and can thus only carry out limited monitoring.

BURUNDI



Capital: Bujumbura

Government Type:
Republic

Population:
10,216,190 (July 2011 est.)

GDP per capita (PPP):
\$300 (2010 est.)

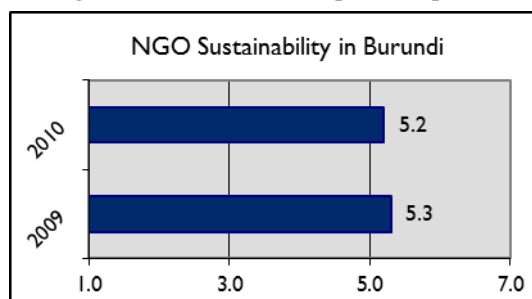
Human Development Index: 185 (2011)

NGO SUSTAINABILITY: 5.2

In 2010, Burundi was marked by a highly controversial electoral process resulting in the re-election of the National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) as the ruling party. Human rights and civil liberties remained a concern during the year as civil society organizations, especially those engaged in human rights, were subjected to intimidation and threats from those in power. Political training activities were obstructed and opposition party activists were imprisoned, creating fear of a drift to authoritarianism and the eventual boycott of the National Assembly elections by the major opposition parties. The electoral period was also marked by rising tension and increasing levels of violence, including grenade and arson attacks, targeted assassinations, and arrests. Burundi's development partners continued to provide support during this period, particularly to the electoral process.



NGOs in Burundi operate under a fairly difficult legal environment. The current law regulating NGOs fails to distinguish between NGOs, political parties, cooperatives, trade associations, and religious institutions.



Registration is time-consuming and costly. NGOs that are critical of the government face harassment, including threats to cancel their registration.

At the end of 2010, 3,964 NGOs were registered with the Ministry of Interior in Burundi, only about 10% of which have permanent staff and offices. Most NGOs experience operational difficulties and face problems with democratic governance and professionalism.

NGOs remain heavily dependent on foreign funders. The government does not fund NGOs and other local resources and membership contributions are insufficient to ensure NGO sustainability. Those NGOs that depend on local resources suffer from poor visibility.

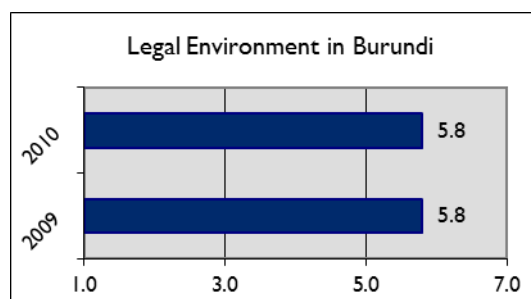
Networking is a common practice and NGOs share information and work together on various advocacy initiatives, some of which achieved positive results in 2010. Roughly fifteen NGO coalitions currently operate in Burundi. NGOs provide valuable services in fields including education, health, assistance to orphans and other vulnerable children, income generation, housing, water supply systems, environmental protection, food safety, and HIV/AIDS.

The public increasingly understands and values the role of NGOs in society and participates in the planning and implementation of NGO activities. Government perception of NGOs varies. The government tends to associate NGOs that address sensitive issues such as governance, corruption, human rights, and democracy with opposition political parties. The government is sometimes hostile to reports of abuse and criticism even when it is intended to be constructive. On the other hand, the government appreciates NGOs' contributions to service provision.

LEGAL ENVIRONMENT: 5.8

Article 32 of the Constitution of the Republic of Burundi guarantees freedom of assembly and association, as well as the right to form associations or organizations in accordance with the law.

Decree-Law 1/11 from 1992 regulates NGOs, but fails to distinguish between NGOs, political parties, cooperatives, trade associations, and religious institutions. The lack of differentiation results in confusion by the government and the general public about the purposes of different kinds of groups. Like most laws, the NGO law was drafted in French. The National Legislative Service has not yet translated the NGO law to Kirundi, the national language, making it inaccessible to the vast majority of the population. The law is also not broadly disseminated.



A draft bill revising the law was developed in July 2009, but has yet to be reviewed by the Council of Ministers. In addition to clearly distinguishing between different types of organizations, the draft bill would establish a National Commission for NGOs and decentralize registration.

Requirements for NGO registration are clearly defined, but the registration procedure lacks transparency and remains discretionary. Registration must be completed in the Ministry of Interior, located in Bujumbura, making it logistically difficult and expensive for organizations located outside of the capital to register. Moreover, numerous documents are required for registration, which are expensive and time-consuming to obtain. For example, criminal records must be obtained in order to receive a certificate of good behavior by the governor of the province or the mayor of Bujumbura. Some of the required documents can only be obtained in Bujumbura. Once documents are submitted, registration should be approved within three days. In practice, however, the speed of the registration process depends on the type of organization. While self-help groups are generally registered quickly, groups that work on human rights or governance issues often face delays, as the Ministry of Interior investigates the founders' political tendencies.

Once registered, NGOs should be able to operate throughout the country. However, in 2009, the Ministry of Interior started to require national organizations focused on governance or human rights to request special authorization to undertake activities outside of the capital. In addition, the Ministry of Interior regularly impedes some activities, in particular public demonstrations. The Minister of Interior also has the prerogative to cancel NGO registration. In 2010, the ministry threatened to cancel the registration of the Association for

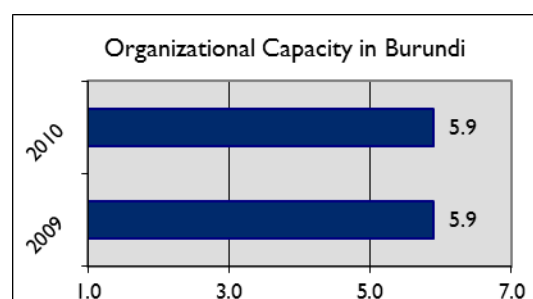
the Protection of Human Rights and Prisoners in Burundi (APRODH) and to dismiss its chair because it continued to denounce the government's human rights violations.

Local NGOs are able to raise funds freely from inside and outside of the country. Only international NGOs receive tax exemptions on imported goods such as vehicles, cement, and other materials distributed for the purposes of humanitarian assistance. NGOs can earn income through the provision of goods and services. Some NGOs bid on government contracts funded by donors such as the World Bank, the Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM), and the European Union.

Public authorities tend to equate some non-profit organizations with opposition parties and sometimes create parallel civil society organizations to decrease the power and credibility of CSOs. For example, the government has created two "independent" teacher's unions to serve as negotiating partners in the teachers' strike. The government blackmails and harasses the leaders of organizations and media who are considered too critical of government actions, sometimes leading to detention and expulsion of representatives of international NGOs or denial of registration. For example, in 2010, the government threatened to lynch the leader of the Forum for the Strengthening of Civil Society (FORSC).

There are no lawyers specialized in NGO law in Burundi. There are, however, lawyers who are members of civil society organizations that defend the interests of the sector when necessary.

ORGANIZATIONAL CAPACITY: 5.9



Organizational capacity continues to be limited in Burundi. Very few NGOs have national or regional coverage and NGOs seldom have offices, equipment, or permanent staff. Most NGOs would like to improve their organizational capacity, but lack the resources needed to do so.

Some organizations have transparent management structures in place, including appropriate documents to govern their operation and management such as statutes, internal regulations, administrative and financial procedure manuals,

and strategic and operating plans. Such organizations regularly produce technical and financial reports and undergo annual financial audits by independent firms hired for their professionalism. A few organizations have internal supervisory committees that closely monitor operations and report to the general assembly. Many organizations, however, face inherent conflicts of interest with the same individuals belonging to management, implementing and control bodies.

Some organizations - including FORSC, Collective of Women's Associations and NGOs of Burundi (CAFOB), Collective of Youth Associations (CPAJ), the Observatory of Governmental Action (OAG), the DUSHIREHAMWE Women's Association, and the Conflict Alert and Prevention Center (CENAP) - are gradually building local support groups and networks to extend the reach of their activities, improve their visibility, and support them in the field.

Only a few NGOs have strategic plans, which are not always implemented due to the absence of funding. Other NGOs develop one-off projects in line with funding opportunities. Some NGOs even lack annual operating plans. With their partners' support, some organizations increasingly conduct organizational assessments and develop operating plans to improve their management.

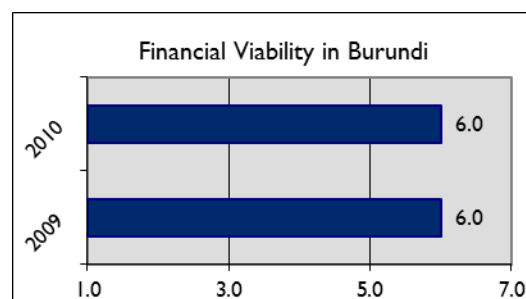
In principle, coalitions are formed to build the capacities of member NGOs. However, they currently operate as associations, submitting their own projects to donors, which can lead to direct competition and conflicts with their members.

Civil society organizations do not have sufficient resources to professionalize their staff. Moreover, the NGO sector suffers from high mobility, particularly among senior management, who are often attracted by the higher salaries offered by international NGOs or cooperation agencies.

The resources of most NGOs do not allow them to purchase or upgrade office equipment or to afford Internet access. Many NGOs work in areas that have no electricity or Internet access at all.

FINANCIAL VIABILITY: 6.0

There are striking discrepancies in the financial situations of NGOs. Most NGOs develop projects and submit proposals to donors, however many organizations are unable to obtain funding because of their low capacity and the absence of community mobilization strategies. Institutional support is particularly hard to obtain. Some organizations cease functioning as a result of a lack of funding, a change in leadership, or a change in a donor's mission or funding priorities.



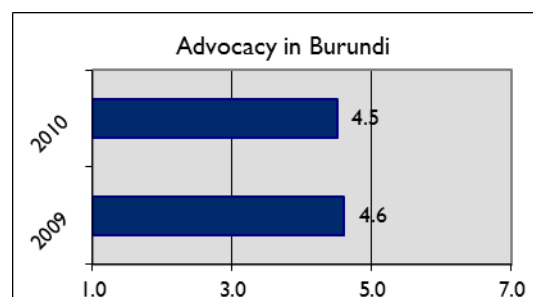
Dependence on foreign donors remains high. Some donors withdrew from the country in 2010, while others reduced their support. This has had a dramatic impact on NGOs. For example, the Burundi League of Human Rights (ITEKA) had to close all of its field offices and dismiss most of its central staff due to insufficient funding this year.

There is no culture of philanthropy in Burundi and NGOs have weak fundraising strategies. However, the population shows a clear willingness to make in-kind contributions for concrete community development projects, such as the construction of schools and health centers. Membership contributions are minimal, due to members' low incomes. Only a few NGOs charge for their services.

The government does not fund NGOs from the general budget. However, in accordance with donor guidelines, the government increasingly calls upon NGOs to implement activities through sub-grants or sub-contracts under projects funded by the World Bank, GFATM, and the European Union.

Donors strive to build the financial management capacity of NGOs. During 2010, some organizations received accounting software and training in how to use it. In addition to training permanent NGO staff in financial management practices, donors closely monitor expenditures and reporting to ensure transparency. In addition, many donors require NGOs to submit to annual audits; some donors even impose specific audit firms.

ADVOCACY: 4.5



NGOs actively advocate on issues such as human rights promotion and protection, governance, corruption, gender sensitivity in decision-making bodies, inheritance rights for women, HIV/AIDS, education, and gender-based violence. Professional organizations, such as trade unions, bar associations, and journalist associations, are also very active in advocacy.

Organizations involved in the analysis and monitoring of public policies continue to develop. These include OAG, the

Burundi Consumers Association (ABUCO), CENAP, Words and Action for the Awakening of Conscience and the Evolution of Mindsets (PARCEM), and FORSC.

NGOs share information and have strengthened their capacity to conduct joint advocacy initiatives. In 2010, a coalition of NGOs successfully advocated to increase the percentage of the budget going towards agricultural support from 3.7% to 6.7%. Ongoing NGO advocacy against corruption led to a political shift in 2010, with the President declaring zero tolerance towards corruption during his new term (2010 - 2015); in addition, several high government officials implicated in embezzlement schemes were imprisoned during the year. NGOs were very active during the election period. NGOs demanded political parties to publish their programs, monitored the elections, and contributed to revisions of the electoral law. Other NGO advocacy campaigns during the year addressed the implementation of transitional justice mechanisms, such as the Truth and Conciliation Committee and the special court, land disputes, inheritance law, as well as the protection of human rights activists. NGOs continued to advocate for the passage of the draft law to revise the decree on nonprofit organizations in 2010.

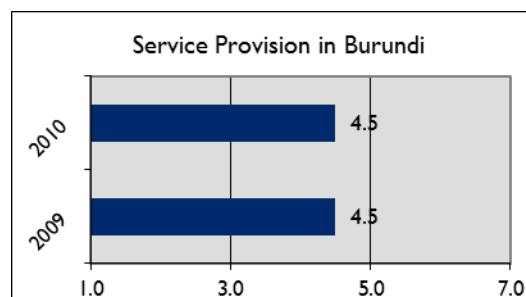
Despite these successes, NGOs still face significant problems in their advocacy efforts. NGOs sometimes find it difficult to react to government actions in a timely manner because they lack consistent funding. NGOs also face challenges in overcoming deep-rooted political and cultural barriers. For example, despite sustained advocacy by NGOs, the Law on Inheritance, Matrimonial Regimes and Gifts, which would entitle girls to inherit property on the same basis as boys, continues to wallow in the government. NGOs attribute the failure to pass this bill to long-standing cultural traditions requiring land to pass from father to son and the fear of social disorder as parcels of land continue to shrink due to high population growth.

To meet donor conditions, the government continues to include NGOs in steering committees such as those in charge of monitoring the Heavily Indebted Poor Countries (HIPC) initiative and national consultations on issues such as transitional justice, public procurement, labor, and social security. However, such collaboration remains largely formal.

Some NGOs with decentralized structures conduct advocacy at the local level. For example, APRODH advocates for the rights of prisoners throughout the country and the Association for the Defense of Women's Rights (ADDF) advocates for the rehabilitation of victims of rape and gender-based violence.

SERVICE PROVISION: 4.5

Many NGOs provide services in areas such as health, education, housing for vulnerable people, water supply systems, environmental protection, food safety, wetlands development, and agricultural and livestock inputs. Due to a lack of expertise and insufficient financial resources, there is a virtual lack of services in areas such as energy provision and environmental protection.

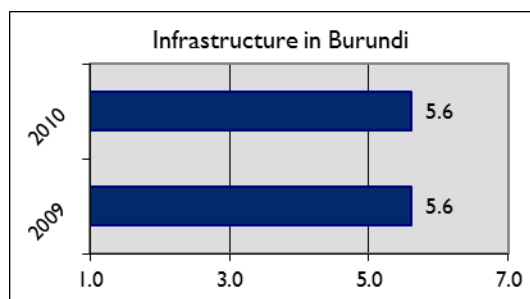


Given the widespread poverty in the country, NGOs are only able to meet a small percentage of the population's needs in terms of service provision. Compared to the overwhelming number of people in need, NGOs help a very limited number of vulnerable people such as orphans, children heads of households, widows, people living with HIV and AIDS, disabled persons, the Batwa minority, and albinos. Certain NGOs, particularly those that work in the sectors of development, humanitarian relief, good governance and human rights, provide services beyond their own membership.

Recipients participate in the formulation of programs and sharing of results, mainly through the media. NGOs are increasingly developing support groups.

The government recognizes NGOs' contributions in service provision, but does not grant them any direct funding. NGO products are not sold, but some NGOs solicit contributions from their beneficiaries. NGOs do not generally understand the market demand for their services.

INFRASTRUCTURE: 5.6



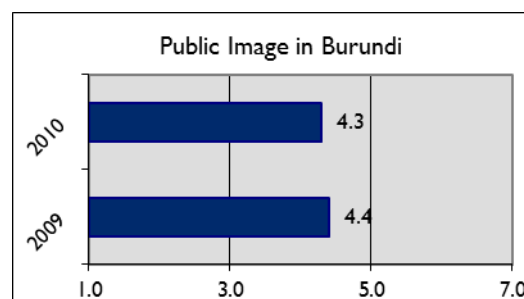
Burundian NGOs have access to a few ISOs and resource centers that provide access to information, technology, and training on topics such as project start-up, fundraising, advocacy, and communication skills. Particularly notable is the Non-Governmental Actor's House (MANE), which was established as part of the EU-funded Support for Capacity Building of Non-State Actors (ARCANE) project. In addition to operating a branch in each province, MANE maintains a civil society website (www.civilsociety-burundi.org), which provides information on civil society

activities. National training capacity is emerging, but remains insufficient to raise the sector's capacities to the level needed to meet public concerns. Several local organizations regrant donor funds to local organizations, including the National Center for the Campaign against AIDS (CNLS), Global Rights, and Twitezimbere.

There are active NGO platforms and networks, mostly located in Bujumbura. Such networks typically help to build their members' capacities through training programs, discussions and outreach workshops. Networks are starting to become more structured and some of them now have websites and newsletters. Coalitions were strengthened during the electoral period, with active work by the Joint Media Action Plan (PACAM), the Civil Society Coalition for Electoral Monitoring (COSOME), Partners' Synergy for Women's Rights (SPPDF), and media partnerships. Coalitions also played a role in advocacy for the rights of the survivors of the late Ernest Manirumva, a leading anti-corruption activist who was assassinated in obscure conditions. In 2010, NGO networks were also strengthened through their participation in sub-regional networks such as the East Africa Civil Society Organizations' Forum (EACSOF) and the East and Horn of Africa Human Rights Defenders Project (EHAHRDP). These regional networks support the advocacy efforts of local organizations.

PUBLIC IMAGE: 4.3

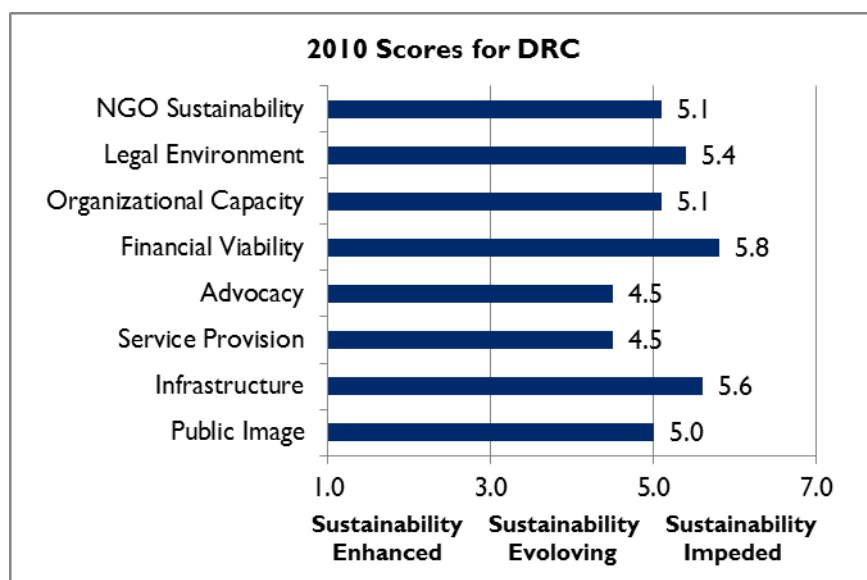
NGOs and media collaborate closely, and the public and private media proactively cover most NGO activities in a positive light. The media sometimes works with NGOs to address current issues. NGOs continue to regularly organize forums on private radio stations that bring together government representatives to discuss governance, democracy, and development issues. Some NGOs sign agreements with the media to guarantee coverage of their activities. While some NGOs pay media to increase their visibility, in most cases media outlets take the initiative to proactively cover NGO activities and treat NGOs as valuable sources of information.



The population increasingly understands and supports NGOs and participates in the implementation of NGO activities. Government perception of civil society varies depending on the type of NGO and other interests at stake. The government tends to associate some organizations, especially NGOs working in governance and human rights, with the political opposition. Business perception of the sector is also mixed. While employees generally support NGO activities, management can become hostile towards NGOs when they draw attention to mismanagement or the unfair awarding of contracts. Several state-run companies, including the Moso Sugar Company (SOSUMO), National Telecommunications Office (ONATEL), and the Office of Public Transport (OTRACO), lashed out at NGOs this year after NGOs criticized them for mismanagement, corruption, or other suspect business practices.

In 2010, FORSC finalized a code of conduct which approximately one hundred NGOs have already joined. By signing on to the code, NGOs pledge to have transparent and democratic management structures, political neutrality, democratic management, and good communication practices. Oversight of the code is conducted by a specialized committee within the Observatory for the Integrity of Civil Society. During the elections, several youth associations also adopted a code of conduct urging youth to maintain mutual respect irrespective of political affiliations, to avoid violence, and not to let themselves be used by political actors. There is no reporting on the implementation of the youth code. Some NGOs publish annual reports.

DEMOCRATIC REPUBLIC OF THE CONGO



Capital: Kinshasa

Government Type:
Republic

Population:
71,712,867 (July 2011 est.)

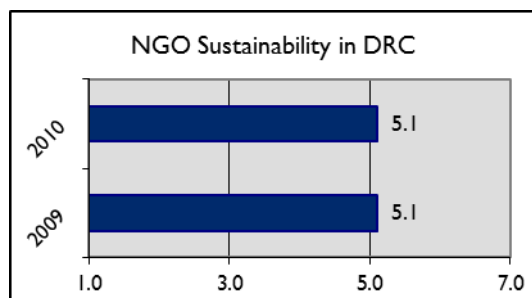
GDP per capita (PPP):
\$300 (2010 est.)

Human Development Index: 187 (2011)

NGO SUSTAINABILITY: 5.1

2010 was an eventful year in the Democratic Republic of the Congo (DRC). The country celebrated 50 years of independence, made a remarkable comeback on the regional and international arena, accelerated major infrastructure projects, and reached the completion point of the Heavily Indebted Poor Countries Initiative (HIPC) with an external debt relief of approximately 80%. However, poverty remained high and demand for basic social services, including water, health, electricity, and education, actually increased during the year.

According to the NGO directory published by the National Council of NGOs and recent data from the United Nations Organization Stabilization Mission (MONUSCO), UNDP and the Ministry of Planning, there are approximately 5,000 NGOs operating across the country, although new organizations are always being created while others disappear. NGOs work in a variety of fields, including promotion and protection of human rights, natural resources, media, community development, children and youth, women, trade unions, economic governance, poverty relief, and microfinance.



2010 was a particularly fateful year for human rights NGOs. Human rights activists and media professionals were murdered under suspicious circumstances. The National Network of Congolese Human Rights NGOs (RENADHOC) was debilitated by the June 2010 murder of Floribert Chebeya, a leading human rights activist and RENADHOC's Executive Secretary. Since his murder, several journalists and other human rights activists have also

been harassed and beaten by the security services, including leaders of the African Association for Defense of Human Rights (ASADHO), with links to Nelson Mandela. A freelance TV journalist was killed in North Kivu in April 2010.

The ongoing global financial crisis continues to affect organizational life in DRC. At the same time, however, Congolese NGOs deplore their heavy dependence on foreign funding and low capacity to mobilize financial resources, particularly at the local level.

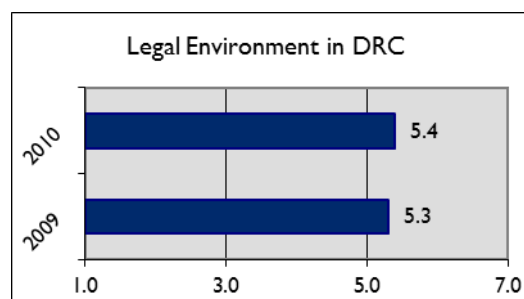
There is a growing synergy among NGOs, as witnessed by the establishment of various thematic networks focused on issues such as rural movements, women's rights, human rights, and economic governance. These networks have improved the quality of NGO advocacy and influenced several laws in the National Assembly and Senate, as well as in provincial assemblies.

Government and public perception of NGOs did not change significantly in 2010. The government continues to view NGOs as sounding boards for the West and appendages of the political opposition. NGOs still have much to do in order to enhance public perception of the sector.

LEGAL ENVIRONMENT: 5.4

NGOs in DRC fall under the broader category of nonprofit organizations. Law Nr 004/2001 (NPO Law), promulgated in 2001, regulates all nonprofit organizations with a specific section on NGOs.

NGO registration continues to be a lengthy and expensive process. In order to register, an NGO must submit several documents to the Ministry of Justice to obtain an F92, an administrative document that grants provisional authorization to operate for six months. After the provisional period has elapsed, the Ministry of Justice is supposed to grant the legal personality to the requesting organization. In practice, however, the ministry often remains silent, putting NGOs in a difficult situation, as they do not know if they are formally recognized or if they can legally operate without an official registration document.



Article 7 of the NPO Law provides a detailed list of items required in an NGO's statute, including the management team and its mandate, the preparation of annual financial statements, and the rules for amending the statute.

NGOs are required to legalize their statutes by filing them with the Ministry of Justice as well as the relevant line ministry. Administrative fees must be paid for all these formalities. As this must all be completed in the capital, it is especially time consuming and costly for organizations based elsewhere in the country, due to the long distances that people must travel in order to register.

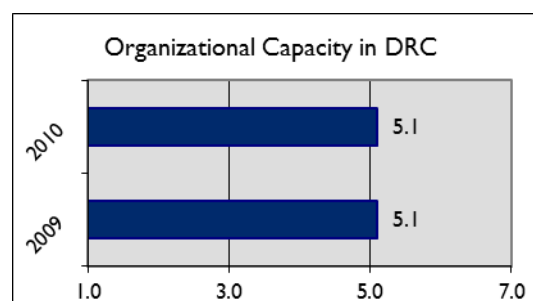
The NPO Law recognizes an NGO's right to operate freely. The law does not allow undesirable government control and protects NGOs from being dissolved by the government. However, NGOs that focus on the promotion and defense of human rights are often subject to intolerance from political actors in the government. The situation brutally worsened in 2010, with the murder and abuse of civil society actors. In addition to the murder of Floribert Chebeya, other civil society activists have been abducted, beaten and detained. Faith-based organizations, on the other hand, have earned the trust of the authorities through their poverty alleviation activities.

Some local lawyers are familiar with the NPO Law. However, in most cases, NGOs are unable to afford such services.

The NPO Law specifies tax and customs exemptions to NGOs but in practice, only large faith-based and charity organizations benefit from these exemptions; other NGOs, including those focused on political rights, fundamental freedoms and human dignity, are identified by the government with the political opposition and are obliged to pay. Furthermore, NGOs pay bank taxes at the same rate as commercial enterprises.

NGOs can sell their products and services and are also able to compete for government tenders. In practice, however, a lack of transparency is often reported in the selection of beneficiary NGOs.

ORGANIZATIONAL CAPACITY: 5.1



Congolese NGOs generally build constituencies and consult with local community members to define their problems and develop appropriate strategies. NGOs' statutes often include a well-defined vision, but this is not always supported by strategic planning. NGOs lack capacity to develop strategic plans and face enormous difficulties in effective implementation due to a lack of funds.

NGOs have a management structure and responsibilities between the board of directors and staff members are clearly defined in organizational statutes. In practice, however, many NGOs still have difficulties implementing internal democratic governance systems.

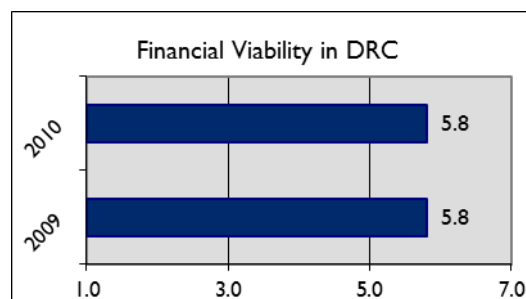
Some NGOs acquire technical equipment through the various projects they implement. However, due to a lack of institutional support, they may not have the financial means to maintain, upgrade or replace such equipment.

Few Congolese NGOs have adequate means to hire permanent paid staff; those that do have permanent staff have difficulty paying their employees regularly and generally offer them just enough to survive. There is no clear policy on social security or others benefits for NGO staff. There was a mass exodus of skilled NGO personnel in 2010 to larger, national NGOs, international organizations, the United Nations system, and political parties, especially in Kinshasa and the eastern part of the country. Most Congolese NGOs work with volunteers because of their limited budgets, but very few are able to operate effectively only with volunteers.

FINANCIAL VIABILITY: 5.8

2010 has been a difficult year for NGOs financially; some national organizations have seen their budgets reduced almost by half. Most NGOs depend on external funding from bilateral and multilateral donors. Very few have the resources to remain viable over the medium to long term. Many development NGOs work with very limited resources that only allow them to implement short-term activities.

While a few Congolese NGOs are able to operate on their members' contributions, this is rare; the majority of NGOs place little emphasis on collecting membership dues.

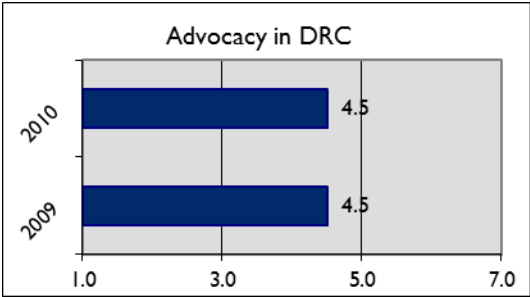


The local support that NGOs, particularly faith-based associations and mutual benefit groups, are able to raise is usually one-off and not sufficient to operate a long-term program. Most Congolese NGOs benefit from the help of volunteers in the implementation of community-based projects. With the exception of faith-based groups, Congolese NGOs have little capacity to develop a core group of local financial supporters.

Only a few NGOs have adequate financial management tools, publish their annual reports, or prepare financial statements. However, NGOs do generally send annual reports to funding partners and undergo external financial audits.

Very few NGOs earn income from the provision of services or other internal assets. Government and local businesses rarely contract with NGOs for services.

ADVOCACY: 4.5



In 2010, NGOs in DRC actively advocated for agricultural reform, access to public information, achievement of Millennium Development Goals, and transparency in the extractive industries. Furthermore, NGOs continue to actively engage in various sectors of national life, including health, education, relief, housing, water, and energy. Several organizations demanded that the Ministry of Finance regularly publish government revenues to allow for better monitoring by NGOs.

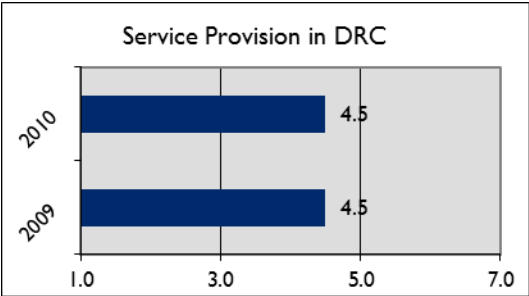
There are increasing opportunities for dialogue between NGOs and the government at the national, provincial and local levels. For example, the Ministry of Environment has developed a government-civil society consultative framework on reducing deforestation and degradation impacts. In addition, the government includes NGOs in defining development policies and programs, including the Document of Strategies to Reduce Poverty (DSRP), and evaluating the effectiveness of development assistance.

Twenty thematic groups were established at the conclusion of the National Symposium on Civil Society in 2009 to brainstorm on national policies and interact with the government. These working groups are suffering from a shortage of resources, which hinders the regularity of their meetings. The thematic group on economic governance worked enthusiastically on the development of the 2010 national budgets, but limited funding did not allow them to effectively monitor budget implementation. The group on natural resource management did valuable work during the review of mining contracts and the validation process of the DRC as a signatory to the Transparency in Extractive Industries Initiative (EITI), but this group has increasingly lost its enthusiasm and energy. The Congolese government must show more political will to fund these opportunities for dialogue instead of relying on the contribution of donors.

While NGOs in DRC understand the concept of lobbying, their ability to influence policy makers must be strengthened. NGOs are aware that an enabling legal and regulatory framework could improve their structural viability and sustainability, but improving the legal framework for NGOs is not a priority for the government.

SERVICE PROVISION: 4.5

NGOs provide a variety of services to the most disadvantaged populations, including in the areas of reproductive health, microfinance, nutrition, the fight against poverty, social rights, economic development, education, access to quality drinking water, access to information, the fight against childhood diseases, and maternal mortality. The services and products provided by NGOs generally reflect the needs and priorities of grassroots communities, although some NGOs do not take sufficient time to explore communities’ real needs. Other NGOs simply focus on the priorities determined by their funding partners.

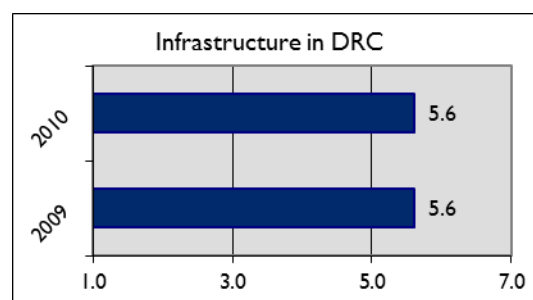


Congolese NGOs have not yet developed sufficient capacity to provide services and products to larger groups. For example, publications and studies conducted by NGOs are not widely disseminated.

NGOs sometimes recover costs, although such organizations do not understand market demand or users' ability to pay.

The Congolese government recognizes the value of engaging NGOs in basic social services provision, but does not provide financial support. However, the government will provide support to NGOs in the implementation of international programs at the behest of donors. In 2010, the Congolese government worked with NGOs on programs addressing childhood disease, HIV/AIDS, tuberculosis, sleeping sickness, people with disabilities, and support for street children.

INFRASTRUCTURE: 5.6



There are relatively few Intermediate Support Organizations (ISOs) and NGO Resource Centers in DRC, which hampers the ability of NGOs to access information. USAID-funded resource centers operate in Maniema, Katanga, Bandundu and South Kivu, while a variety of resource centers operate in Kinshasa, including those developed by UNDP, the Carter Center, the Community of Wallonia, the French Cultural Centre, and the Justice and Peace Commission. These centers generally provide training and Internet access. ISOs and resource centers depend on donor funding and

have not developed alternative funding sources at the local level. ISOs do not generally engage in grantmaking and very few foundations provide local grants in support of community needs.

NGOs share information with each other at the national and local levels through platforms and thematic networks. Networks and coalitions bring NGOs together around issues such as anti-corruption, women and youth, human rights, and development.

Qualified local NGO management trainers exist and several NGO training programs are available. In 2010, PREFED SERACOB organized several trainings in the field of management, implementation and monitoring of projects, as well as good governance and conflict resolution. Other organizations, including the Open Society Institute of Southern Africa (OSISA), UNDP, the European Union and MONUSCO, organized trainings to build CSO capacity in advocacy. CENADEP, CRAFOP and DIOBASS organized training courses for the revitalization of community-based organizations and farmer organizations. External donors fund all of these training courses. Training materials need to be translated into local languages to reach broader groups.

Congolese NGOs are starting to develop partnerships with the government and private companies, but above all with media at the national and local level. For example, the BRALIMA Foundation and VODACOM support local NGOs in rehabilitating schools, providing care for orphaned children, and establishing potable water supplies in villages and poor popular neighborhoods. Unfortunately, beneficiary NGOs do not implement appropriate strategies to maintain such partnerships.

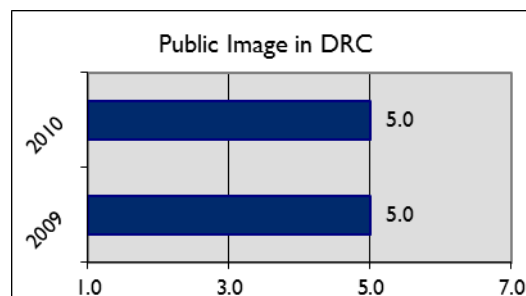
PUBLIC IMAGE: 5.0

Congolese NGOs do not promote their images effectively. NGOs must actively reach out to media and pay to get media coverage. Media does not differentiate between the prices charged for public service and commercial advertisements. Media invites NGO leaders to participate in specialized broadcasts. Very few Congolese media undertake independent reviews or analysis of NGOs' work.

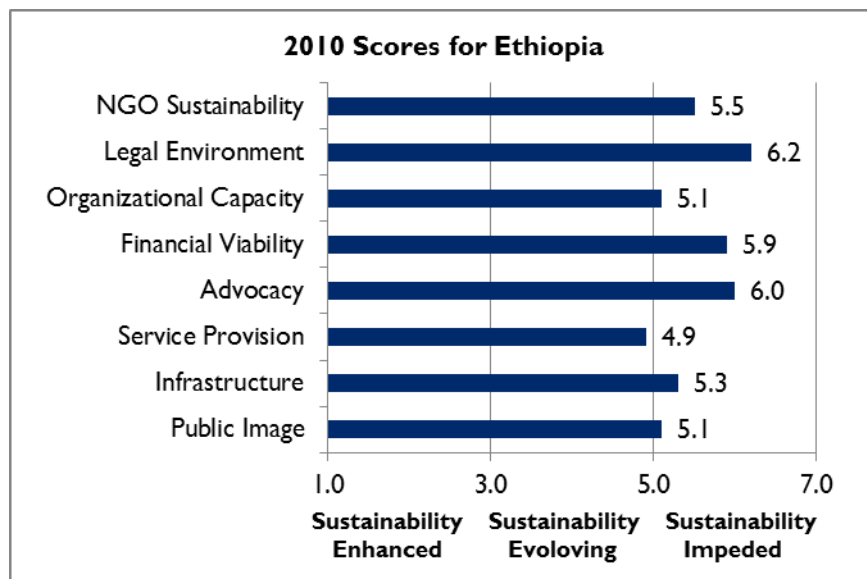
The public does not always have a good understanding of the concept of an NGO. Because of their dependence on external funding, NGOs sometimes have problems linking with the communities they serve, which weakens public support of their work.

Although appreciative of the work of FBOs, the Congolese government and private companies have a very negative image of advocacy NGOs, which has worsened over the past year. In most cases, government representatives only cooperate with NGOs at the specific request of donors or international partners, as in the case of the Reducing Effects of Deforestation and Degradation (REDD) and the Transparency in Extractive Industries Initiative (EITI) process. The NGO and journalist murders in 2010 have led to a public outcry and an increased understanding by the public of the work NGOs do.

A code of conduct for development NGOs and a code of ethics for civil society actors both exist, although they are not regularly disseminated or promoted and they lack strong enforcement mechanisms. Only large NGOs publish annual reports.



ETHIOPIA



Capital: Addis Ababa

Government Type:
Federal Republic

Population:
90,873,739 (July 2011 est.)

GDP per capita (PPP):
\$1,000 (2010 est.)

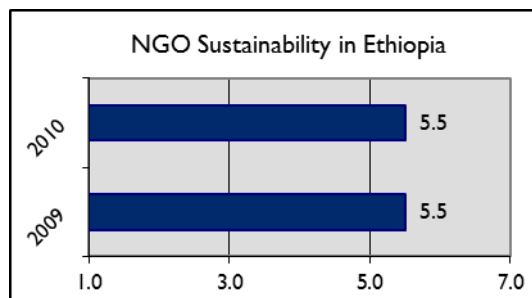
Human Development Index: 174 (2011)

NGO SUSTAINABILITY: 5.5

Ethiopia adopted its current constitution, which heavily emphasizes human rights, in 1995. Ethiopia is also a party to a variety of major international and regional human rights instruments. Despite this outward commitment to democracy and human rights, Ethiopian NGOs operate in a highly restrictive environment. The Ethiopian People's Revolutionary Democratic Front (EPRDF) has won all four of the national elections held since the adoption of the constitution. In the last election, in 2005, only one seat in the 547-seat parliament was won by an opposition political party member. After this electoral landslide, the government adopted a series of laws to govern political parties, media, and civil society, as well as anti-terrorism acts. These laws have significantly shrunk the political space in the country, sharply curtailing freedoms of speech, assembly and association.



Among these laws is the Charities and Societies Proclamation, which came into force in September 2009. The Proclamation restricts NGOs' freedom of operation and access to foreign funds. By October 2010, a total of 2,020 NGOs had been re-registered in accordance with the Charities and Societies Proclamation, just over half the number of organizations that existed before the mandatory re-registration.



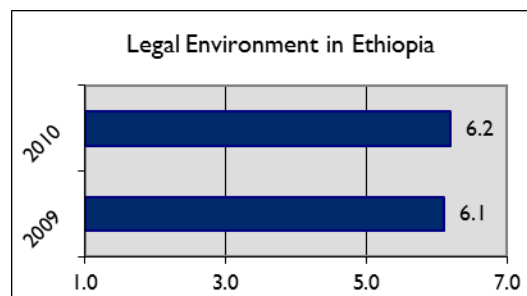
The NGO sector is characterized by a great sense of fear, cynicism and passivity. The new laws dramatically limit the ability of NGOs to conduct advocacy work. Many NGOs that previously engaged in advocacy have been forced to re-register as service providers. NGOs continue to provide a

variety of services in health, education, environment, poverty reduction, capacity building, and employment generation.

NGOs continue to struggle with weak constituency building, inadequate diversification of resources, poor internal democracy, and limited partnerships with other NGOs. The new law has resulted in a significant decrease in foreign funding, while domestic sources have yet to develop. NGOs lack the capacity to effectively communicate their missions, achievements, or value to society to counter government hostility towards the sector.

LEGAL ENVIRONMENT: 6.2

According to the Charities and Societies Proclamation, NGOs must register as either a charity, which is formed exclusively to help others, or a society, which is formed to benefit its members. In addition, NGOs must now choose whether to register as Ethiopian, Ethiopian resident, or foreign organizations. Ethiopian organizations must receive the vast majority of their funding from Ethiopian sources; no more than 10% of revenues can be received from foreign sources. Resident and foreign organizations, on the other hand, can receive unlimited foreign funds, but are restricted from working in the critical policy areas of human rights, gender equality, rights of children and the disabled, conflict resolution, and efficiency of the justice sector. NGOs receiving over 10% of their funds from foreign sources are also denied judicial recourse for any action the Charities and Societies Agency takes against them. According to Article 104(3) of the proclamation, only organizations registered as Ethiopian charities or societies have the right to appeal a decision of the Agency to the Federal High Court. All civil society organizations are required to register; informal associations are prohibited regardless of size or type.



The majority of NGOs (82%) have re-registered as resident and foreign charities engaged in service provision. A mere 112 organizations (6%) are now registered as Ethiopian charities, working for the rights or benefits of others with local funds, while 261 organizations (13%) registered as Ethiopian societies working for the benefit of their members.

The new regulatory framework also significantly affects networking and cooperation among NGOs. A directive issued by the Charities and Societies Agency prohibits the establishment of networks involving both charities and societies or both Ethiopian charities and Ethiopian resident and foreign charities. This is intended to restrict the flow of funding from Ethiopian resident and foreign charities to Ethiopian charities or societies. Networking between Ethiopian resident charities and foreign charities is permissible. As a result of this directive, of the thirty-three registered consortia and networks, only one - the Network of Ethiopian Women's Associations (NEWA) - is established as Ethiopian.

The government's implementation and interpretation of the new law is strict. For example, in December 2009, the Director of the Agency instructed four private banks to freeze the assets of the Human Rights Council (HRCO). HRCO had re-registered as an Ethiopian charity, which allows it to work on human rights issues as long as 90% of its income comes from domestic resources. The Agency argued that HRCO had to relinquish the foreign money it had accumulated before the adoption of the legislation, while HRCO asserts that the law should not apply retroactively. The Agency issued a similar decision against the Ethiopian Women Lawyers Association, another local human rights organization.

There have been reports that the Agency lacks the capacity as well as the willingness to apply the law consistently and fairly. The Agency's officers are not adequately trained in appraising or evaluating NGOs'

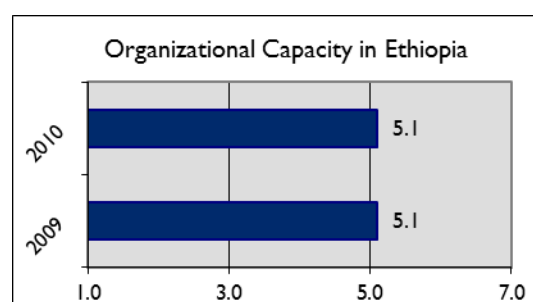
applications, or understanding the law as written. For example, although there is no legal prohibition, the Agency is unwilling to register charities offering adoption services.

NGOs are exempt from income taxes on grants. In addition, donors can receive a tax deduction on gifts and donations made to NGOs that are certified by the Agency as having an outstanding record of using resources transparently and accountably.

The Charities and Societies Proclamation gives NGOs the right to engage in income generating activities, but stipulates unreasonable preconditions. NGOs must get permission from the Agency, which has been highly restrictive in implementing this provision. As a result, very few organizations have been granted permission to engage in income-generating activities. In addition, NGOs must pay taxes on income earned through economic activities.

There are lawyers who specialize in representing NGOs and providing legal advice both in Addis Ababa and secondary cities. The Faculty of Law at Addis Ababa University recently started providing a course called Laws on Non-Profit Associations.

ORGANIZATIONAL CAPACITY: 5.1



Most organizations are driven by the availability of funding rather than a commitment to their visions and missions. As a result of the proclamation's financial restrictions, significant numbers of organizations have changed their mandate from human rights or advocacy to service provision. The majority of NGOs focus on short-term projects rather than long-term programs based on strategic planning.

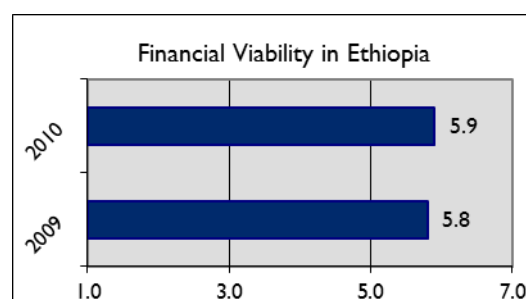
Most NGOs in Ethiopia can be characterized as one-man shows dependent on a single individual, usually the

Executive Director. Each registered NGO is legally required to have a clearly defined governance structure. In most cases, however, board members are not proactive in carrying out their oversight roles or mobilizing resources. A majority of organizations lack basic organizational documents such as personnel and financial manuals.

Most NGOs have permanent staff and offices equipped with the necessary infrastructure, such as cars, computers, Internet, and telephone services. Grassroots organizations, however, have difficulties hiring and retaining professional staff and may also lack computers, Internet access, telephones, and office space. The culture of volunteerism in Ethiopia is weak.

FINANCIAL VIABILITY: 5.9

NGOs face significant challenges related to financial viability. The availability of foreign funding, upon which local NGOs have long been dependent, is shrinking significantly as a result of the new legal restrictions. Donors are increasingly hesitant to provide financial support, particularly to human rights organizations. Nevertheless, almost all NGOs remain heavily reliant on foreign funding and face acute problems diversifying their resource bases. NGOs lack experience in and exposure to domestic resource mobilization techniques and very few individuals

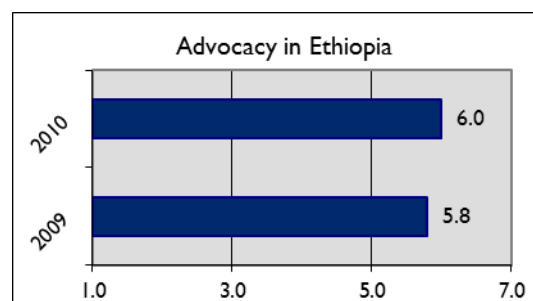


and business organizations engage in philanthropy. The government does not award grants to NGOs, and only NGOs with business licenses are allowed to bid on government contracts.

The Charities and Societies Proclamation defines administrative costs broadly, including “salaries, allowances, benefits, purchases of goods and services, travel and entertainment necessary for the administrative activities of a charity of society,” and limits such expenses to no more than 30% of an NGO’s total budget. While the Agency applies this provision inconsistently, it has severely affected the financial viability of NGOs.

NGOs are legally required to undergo an independent financial audit and submit a financial and activity report to the Charities and Societies Agency on an annual basis.

ADVOCACY: 6.0



Advocacy in the country has been weakened significantly by the new law. As described above, the law severely affects the ability of NGOs to work on advocacy issues such as human rights, gender equality, rights of children and the disabled, conflict resolution, and access to justice. The government considers these to be political activities which should be carried out by citizens with local resources. The Agency reported that seventeen human rights and advocacy organizations were forced to change their mandate to various service delivery areas. Organizations that previously

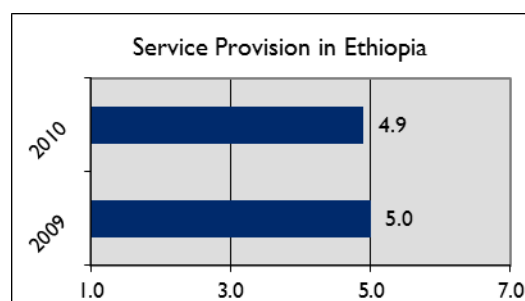
worked on juvenile justice and with child victims have also ceased their work and are now focused on service provision. Furthermore, the Charities and Societies Proclamation forbids service-providing NGOs from educating their beneficiaries about their rights or advocating for related policy changes. Advocacy is further limited by the new restrictions on networking. Only one advocacy network - focused on gender issues - is now legally registered, and due to severe financial constraints, this network does not function at all.

There is no formal line of communication between NGOs and policy makers, and the NGO community is no longer comfortable with policy advocacy due to the new law’s restrictions. Although some NGOs attempted to engage the government in a dialogue around the amendment of the law and even organized consultative meetings at various levels, these efforts were unsuccessful. There have been no other local NGO advocacy efforts to promote legal reforms to benefit NGOs.

SERVICE PROVISION: 4.9

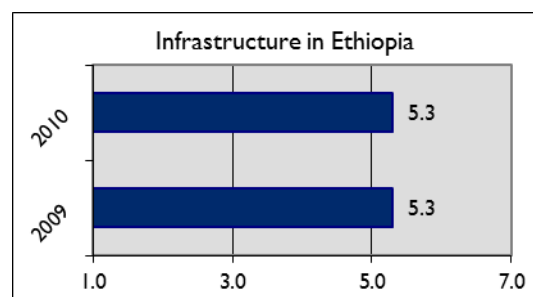
Since the re-registration process, more than 82% of NGOs are engaged in service provision, an area that is comfortable for both NGOs and the government. NGO services encompass a variety of fields such as health, education, environment, poverty reduction, capacity building, and employment generation. NGOs rarely charge for their services, which limits their financial sustainability.

By definition, societies, which operate for the exclusive benefit of their members, provide goods and services that reflect the needs and priorities of their members. Charities, on the other hand, rarely include beneficiaries in the design and implementation of projects. NGOs lack strong partnerships with the media, academia, the private sector, and the public.



The government's five-year Growth and Transformational Plan, which was adopted in September 2010, recognizes the role and investment of the private sector and civil society in education, agriculture, and overall capacity building, but defines civil society narrowly as including mass organizations, cooperatives, and professional associations. In addition, it fails to give NGOs credit for their role in implementing, monitoring, and evaluating development activities.

INFRASTRUCTURE: 5.3



Although they are few in number, resource centers and network organizations at both the federal and regional levels provide support, including information sharing, technology, and capacity building, to at least their member organizations. The majority of these organizations, however, have been established recently and lack the capacity to address the range of needs within the NGO sector, particularly those of grassroots NGOs. Individual organizations and networks re-grant international funds, and some network organizations provide information to their members about grant

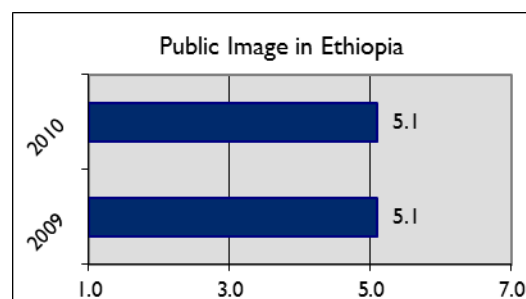
opportunities.

The Consortium of Christian Relief and Development Associations (CCRDA), one of the largest and oldest umbrella organizations in the country, provides training for its members in NGO management, governance, project management, and financial management.

There are twenty-five sectoral and regional consortia registered at the federal level, but no network represents the sector at the national level. Existing network organizations are criticized for their lack of cooperation, opportunistic alliance formation, redundancy, and mutual distrust. Intersectoral partnerships are very weak.

PUBLIC IMAGE: 5.1

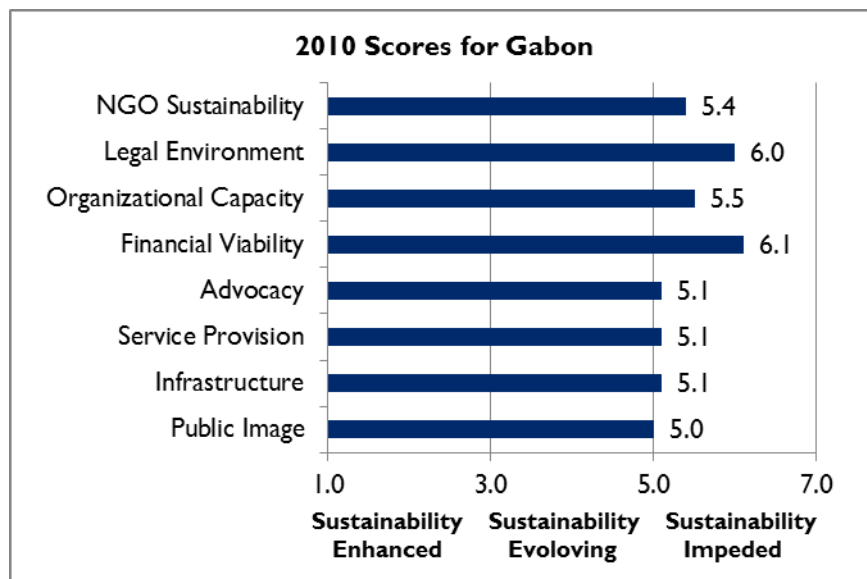
Government hostility towards the sector has negatively influenced media and public opinion towards NGOs. Media coverage of NGO work is limited, and further exacerbated by NGOs' lack of media outreach strategies. As the government has a monopoly on electronic media, it is almost impossible for NGOs to use television or radio to promote their work. In addition, airtime is so expensive that most NGOs cannot afford it. Government media generally portrays NGOs as wasteful organizations spending public money for personal interest. In comparison to the government media, private media provides more balanced and fair coverage of NGOs, but is mainly interested in reporting on NGO activities, rather than covering NGOs in a more thorough or analytic manner.



NGOs in Ethiopia are unable to communicate effectively who they are, what they do, their achievements, or their value to society, thereby hindering their relationship with the public. NGOs are commonly perceived to be well-funded by foreign donors and spending significant amounts on salaries and fringe benefits for their staffs, as well as other administrative costs, rather than direct project implementation. The working relationship between NGOs and the business sector is not strong, and the business sector does not provide any meaningful financial support to NGOs.

The sector does not have a strong self-regulatory system, although there are attempts by major network organizations, including CCRDA and the Civil Society Taskforce, an ad hoc group of CSOs established to work on creating enabling environment for the sector, to revise the NGO Code of Conduct developed in 1999.

GABON



Capital: Libreville

Government Type:
Republic

Population:
1,576,665 (July 2011 est.)

GDP per capita (PPP):
\$14,500 (2010 est.)

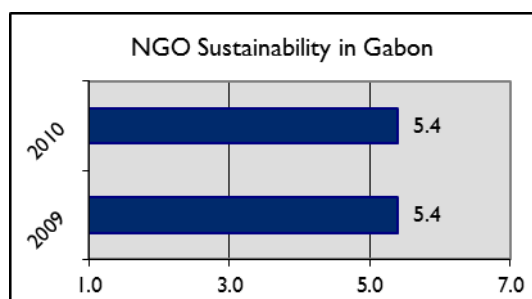
Human Development Index: 106 (2011)

NGO SUSTAINABILITY: 5.4

The sustainability of NGOs in Gabon has not changed significantly over the past year. NGOs continue to be governed by an outdated law and efforts to revise it remain stalled. NGOs, especially those that deal with governance issues or criticize government action, continue to face government hostility. Despite this pressure, NGOs have begun to make their mark in advocacy. In 2010, NGOs were strong advocates on environmental, governance, and health issues, among other issues. The relative strength of NGOs in advocacy and lobbying is moderated by a lack of professionalism in the sector. NGOs do not properly manage human and financial resources. While a few NGOs have strategic plans, most do not even have an action plan for the medium-term.



The lack of capacity means that only a few NGOs are able to attract potential donors, which are predominantly foreign. Government grants are inconsistent and local philanthropy is non-existent.



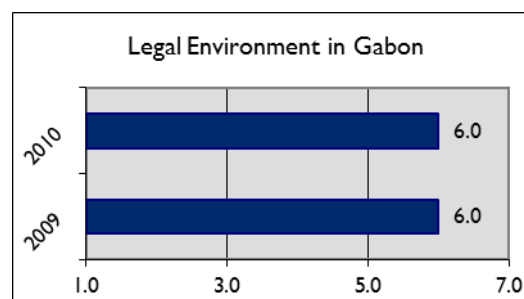
NGOs provide an increasing range of services, including workshops and studies for government and businesses. Gabonese NGO networks provide valuable support to their members and promote information sharing. While the public has a generally positive perception of NGOs, the sector needs to increase its media coverage and improve its relationships with government and businesses in order to improve its effectiveness, particularly in advocacy.

It is difficult to estimate the number of NGOs registered or active in Gabon. A directory developed by the European Development Fund-supported Program to Support Non-State Actors (PROGREANE) in mid-2010 identified 700 NGOs and 14 national thematic networks. However, only about 200 of these are active and not all of these are officially registered. The directory did not cover all of the provinces in the country. In comparison, the Ministry of Interior reported 516 NGOs registered in 2009, but was unable to provide information for 2010.

LEGAL ENVIRONMENT: 6.0

The legal framework for NGOs did not change in 2010. NGO operations have been governed by Law 35/62, known as the Law on Associations, since 1962. NGOs continue to operate under this outdated legal climate while discussions are underway to update and amend the law.

Article 3 of the Law on Associations allows NGOs to operate without registering. Those NGOs that wish to legally register must file an application or statement containing pertinent information with the prefecture where the NGO is headquartered, after which they receive a provisional receipt. Starting from the issuance of the provisional receipt, an NGO must refrain from conducting any activity for three months, unless it receives its final receipt sooner than this. However, the law does not state any time limit in which the government must issue the final receipt.



The law does not specify the proper management structure of NGOs. Each NGO's operations are governed by its own statute, which must be filed along with the statement at the relevant prefecture.

During 2010, NGOs advocated the government for a comprehensive revision of the Law on Associations under the auspices of PROGREANE. Key demands included the need to distinguish between simple associations and NGOs, and to clarify tax issues. NGOs submitted their proposals, but the government has not yet taken any action to amend the law.

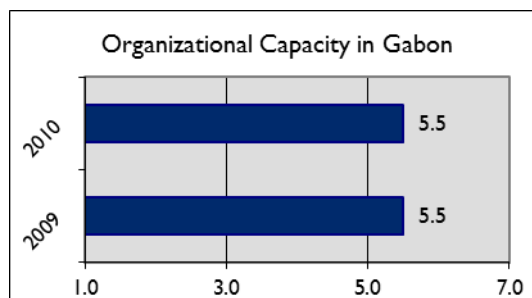
NGOs faced increased pressure from the government in 2010 as a result of lingering political tensions surrounding the 2009 elections. In particular, NGOs that criticized public institutions or services or the political situation in the country were subject to pressure or veiled threats. For example, the Ministry of Interior threatened to dissolve the NGO platform Publish What You Pay and the Civil Society Network for Good Governance in Gabon (ROLBG) after they requested greater transparency in the electoral process and reform of state institutions. In additions, some members received anonymous threats by phone.

The number of lawyers familiar with the legislation on civil society organizations is growing as a result of the increased government pressure. NGOs that retain private lawyers must ensure they have funds available to pay legal fees as there are no pro bono legal services available.

Few NGOs benefit from tax exemptions as the legislation is vague and most NGOs are unaware of the potential benefits available to them. In addition, the procedure to request an exemption, for instance from VAT, is long and complex. NGOs are free to charge for their services. However, like any other service provider, NGOs must pay a 9.5% tax on service delivery contracts, in addition to VAT.

ORGANIZATIONAL CAPACITY: 5.5

With the exception of a small number of well-organized NGOs, few local NGOs employ paid staff on a permanent basis or have a board of directors. Instead, NGOs recruit volunteers and temporary employees for



specific projects. As a result of the lack of permanent NGO staff, few NGOs develop strategic plans. While appropriate roles may be defined in statutes and internal regulations, only a few NGOs have a clear division of responsibilities in practice.

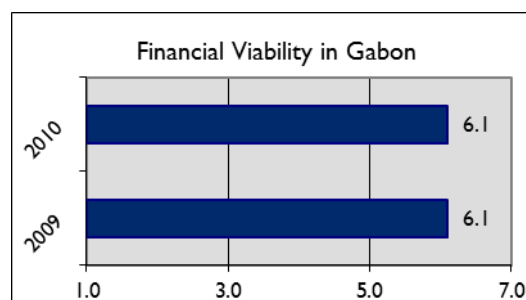
Many NGOs do not have their own office space or modern office equipment. Most NGOs rely on cyber cafes for Internet access; some NGOs also use these services for word processing and accounting. Some individuals use their

personal computers when starting an organization and then buy equipment for the organization once they receive grants. Cell phones are relatively affordable, and the majority of NGOs can only be reached by mobile phones.

FINANCIAL VIABILITY: 6.1

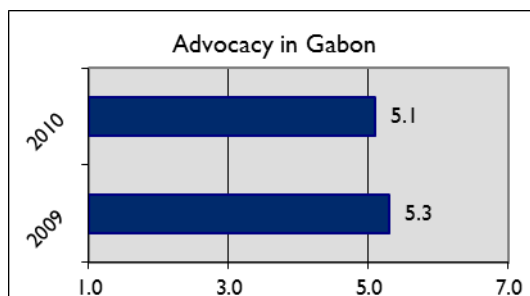
Most NGO funding comes from foreign sources, including international organizations and partners, and embassies. An increasing number of NGOs, especially in the environmental sector, reply to tenders to provide services to both the government and other actors in Gabon. These contracts generally go to pre-identified local NGOs for small, short-term studies.

Local sources funding are almost non-existent. The only true local source of philanthropy is the Sylvia Bongo Ondimba Foundation, founded by Gabon's First Lady. Wealthy individuals involved in politics create and fund their own NGOs to promote their own political ends, for example by advocating for certain issues or political candidates. Membership fees are rarely paid even if they are specified in statutes and internal regulations.



The financial sustainability of NGOs is threatened by the limited sources of available funding. Available funds are often for short or medium-term activities. The lack of reliable funding hinders NGOs' professionalism. Outside of a few highly developed NGOs, financial management systems are almost non-existent.

ADVOCACY: 5.1



NGOs participate in government forums and working groups on a range of issues, including the detection and management of sexually transmitted diseases, family planning services, support for people living in the slums of Libreville, and HIV/AIDS. Civil society is also represented in the Extractive Industries Transparency Initiative (EITI) and the EU-supported Forest Law Enforcement, Governance and Trade Voluntary Partnership Agreements (FLEGT-VPA). Despite some apprehension among both parties, NGO cooperation with the government is increasing on technical matters. However, NGOs still have limited access to and input on government decision making.

Although there are still no formal, legal structures for NGOs to participate in the policy and legislative process, NGOs regularly offer their opinions on matters related to electoral transparency and good

governance. However, NGOs do not sufficiently understand lobbying, which limits their impact on legislation. Nonetheless, NGOs are increasingly consulted in the revision of certain laws, although their advice is not always taken into account.

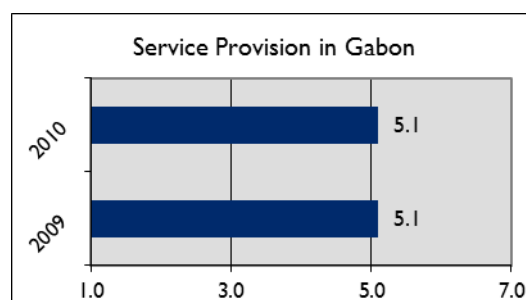
Since the presidential election in 2009, ROLBG and the National Observatory for Democracy (OND) have engaged in a campaign to allow civil society to participate more fully in the country's political life. In May 2010, the Network for the Defense of Human Rights in Gabon (REDDHGA) trained one hundred election observers with US Embassy support. In June 2010, HADASSA launched a campaign to collect food donations for economically disadvantaged people. The Mussobini Federation, which gathers more than twenty NGOs, organized a series of lectures on corruption under a campaign entitled "All Against Corruption." HIV/AIDS and STD awareness activities were organized by the Gabonese Movement for Family Well-being (MGBEF) and other organizations.

In February 2010, NGOs publicly denounced radioactive pollution in the Mounana region in the province of Upper Ogooué by a French industrial group specialized in nuclear energy, as well as the dumping of toxic waste by a laboratory in the same region. As a result of these campaigns, the government was forced to dispatch fact-finding missions and inform the public about the situation. A civil society representative from the NGO Brainforest was subsequently chosen to sit on the committee responsible for ensuring compliance with the fact-finding mission's recommendations.

NGOs are aware that a favorable legal and regulatory framework can increase their efficiency and sustainability. With support from PROGREANE, NGOs have been advocating to revise the Law on Associations to improve the current NGO legal environment. While some NGOs and platforms have connections with pro-reform political actors, there is not sufficient political will to improve the legal environment for NGOs at this time.

SERVICE PROVISION: 5.1

The range of products and services provided by NGOs is constantly expanding to meet the needs of constituents and respond to current events in Gabon. In 2010, NGOs provided various products and services, including workshops, case studies, and publications in different fields to various stakeholders, most notably the government. Environmental NGOs are increasingly active in this regard. For example, the Environment Gabon Network analyzed the regulatory framework for the forest industry. NGOs also conducted an impact assessment of mining operations in the High-Ogooué province. NGOs in several sectors carried out socioeconomic surveys.

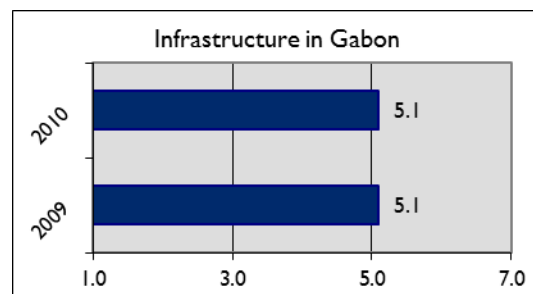


NGOs generally identify needs within their target groups and tailor their services accordingly. Some NGOs engage in cost recovery, primarily NGOs that work in the area of health and sanitation, who often provide affordable garbage collection services. In addition, in October 2010, MGBEF established a medical analysis laboratory and model clinic for reproductive and sexual health that provides services for very affordable prices. Other organizations increasingly develop income generating activities to cover ongoing organizational expenses that are not normally covered by grant funds.

The government increasingly recognizes the contributions of NGOs and invites them to participate in various working groups. Government grants to NGOs are still minimal and the government does not directly award contracts to NGOs, apart from a limited number for social service provision. However, NGOs do benefit

from sub-contracts through companies and institutions, including international NGOs, which have been awarded government contracts.

INFRASTRUCTURE: 5.1



ISOs, NGO resource centers, and organizations making grants and donations at the local level are virtually non-existent. PROGREANE, which was intended to play the role of an ISO, experienced operational difficulties before it closed down in mid-2010. There are ongoing discussions to launch a second phase of PROGREANE to consolidate the project's achievements.

Gabonese NGOs increasingly create networks and platforms to address common problems and share information, mostly through mailing lists or formal meetings. For example, the Environment Gabon Network continues to unite a number of local NGOs involved in the negotiations between the EU and Gabon over forestry issues.

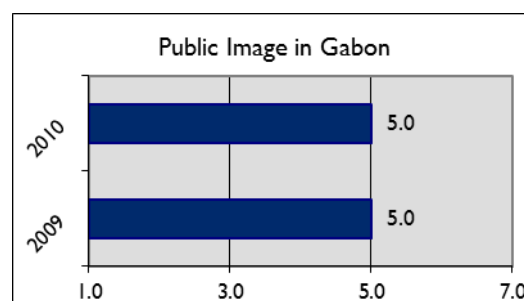
The National Center for the Support of Women's Organizations (CENAF) provides support to its beneficiaries. At the end of 2010, CENAF received an MDG Award for building the capacities of five networks of women's organizations to enhance their participation in political, economic, and social governance.

Training capacity exists, but there is no database to identify trainers and their competencies. As a result, the choice of trainers is often made according to personal contacts, rather than the trainer's skills and expertise. Training materials are rarely available in local languages.

Local grantmaking is almost non-existent and intersectoral partnerships are visible only during workshops or among specific working groups.

PUBLIC IMAGE: 5.0

Like other actors, NGOs must pay for media coverage. While radio and television programs dedicated to NGO-related topics are emerging, the vast majority of media lack knowledge about the role NGOs play in society. Generally, media simply reports NGO activities, but does not conduct in-depth analysis to better explain NGOs' role. There is a very limited number of journalists specialized in NGO issues.



While still not truly understanding the concept of an NGO, the public has a generally positive perception of NGOs' work, especially NGOs lobbying for good governance in economic, political, and environmental areas. NGOs and civil society in general are beginning to be seen as the authentic voice of the people.

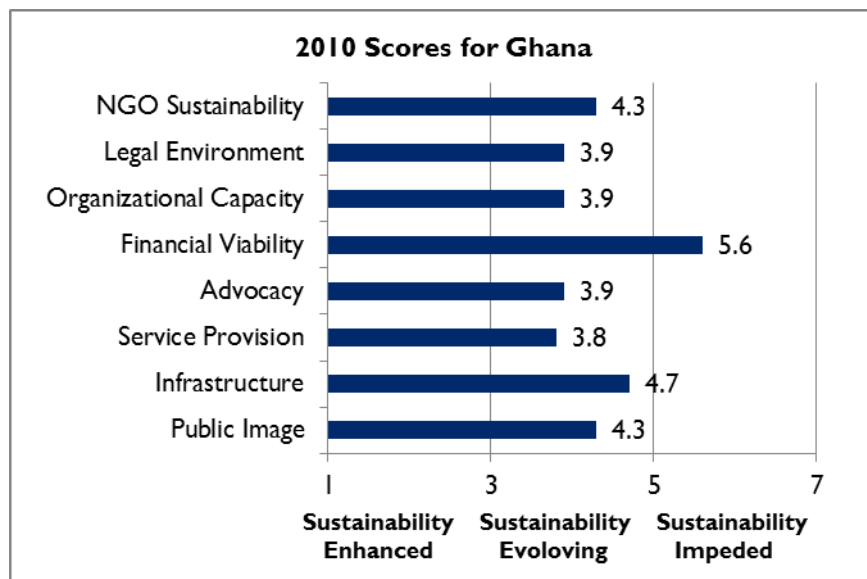
The perception of NGOs by the government is more ambiguous. While beginning to recognize the value of NGOs, the government fears criticism by NGOs, especially those that promote good governance. The government will denounce or even threaten NGOs that cross this line, as it did with the Publish What you Pay platform and ROLBG this year.

With the exception of a few tenders for specific studies, NGOs' relationships with businesses are often strained and marked by a lack of trust, which can be exacerbated by conflicting goals.

To the extent possible, NGOs try to publicize their activities. Those with the capability use communication tools such as websites, newsletters, and flyers. Some NGOs develop relationships with journalists or media outlets to improve media coverage.

NGOs, either individually or within their platforms and networks, strive to make their operations more transparent. However, Gabonese NGOs still lack a formal code of conduct. A few leading NGOs publish their annual reports and distribute them to all stakeholders.

GHANA



Capital: Accra

Government Type:
Constitutional Democracy

Population:
24,791,073 (July 2011 est.)

GDP per capita (PPP):
\$2,500 (2010 est.)

Human Development Index: 135 (2011)

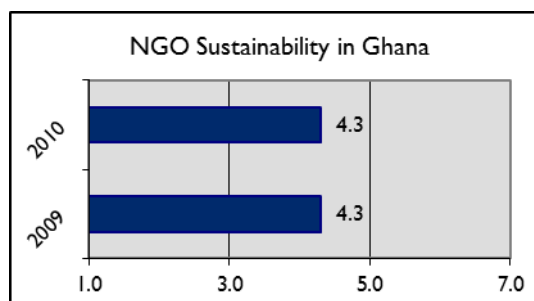
NGO SUSTAINABILITY: 4.3

The sustainability of NGOs in Ghana continues to evolve. NGOs operate in virtually all sectors of the economy and are spread across all ten regions of the country. NGOs in Ghana do not face any major difficulties when registering or commencing operations at the local or national levels. Data from the Department of Social Welfare indicate that there are 4,772 registered NGOs in Ghana, a slight increase from last year.

The past year has seen considerable improvement in communication between government and NGOs. NGOs played an important role in the development of several significant policies during the year, including the Non-Profit Organizations Bill and the Ghana Shared Growth and Development Agenda (2010-2013), the medium-term development framework of the Government of Ghana.



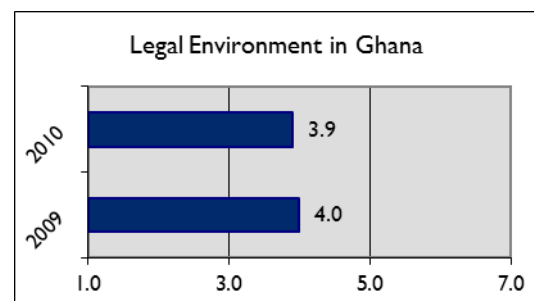
The bulk of NGO funding still comes from foreign donors. As a result of the global financial crisis, many foreign donor programs have been cut back or completely abandoned. Although government and the private sector recognize the unique role of NGOs, they provide little direct funding to the sector.



Through their advocacy, NGOs - especially Research and Advocacy Organizations (RAOs) and community based groups in mining areas - receive broad media coverage. In order to improve standards and sustain operations, the Coalition of NGO Networks in Ghana (CONnet-Ghana) through the Ghana Anti-Corruption Coalition (GACC) recently initiated a project to assess the capacity and operations of NGO networks in the country.

LEGAL ENVIRONMENT: 3.9

The legal regime for NGOs in Ghana is favorable. The 1992 Constitution guarantees civil and political rights, thereby allowing NGOs to operate without state interference provided their activities are consistent with the country's laws. There is no specific law regulating NGOs in Ghana. NGOs register under the Companies Code of 1963 (Act 179) as not-for-profit organizations limited by guarantee, with members acting as guarantors. The number of registered NGOs continues to increase as administrative bottlenecks in the registration process are reduced through initiatives such as the decentralization of the Registrar General's Offices, which started in 2010 and allows organizations outside of the capital to register locally.

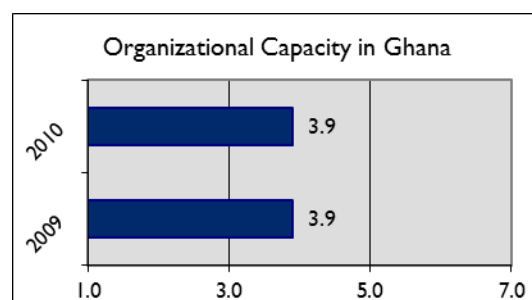


NGOs in Ghana have been advocating against the government-proposed Trust Bill for the past ten years. The government designed the Trust Bill to govern NGO activities, as well as the relationship between NGOs, the government, and the donor community. NGOs have advocated assiduously for an alternative NGO bill through the National Consultative Group (NCG), a forum comprising representatives of various NGOs, the government, and its development partners. Among other changes, the NCG called for the separation of NGO legislation from the Trust Bill given the different needs of these two types of entities. The NCG worked with eminent lawyers in 2010 to produce a draft Non-Profit Organizations (NPO) Bill to govern NGOs. The bill is currently being finalized by the Attorney General's Department.

NGOs do not have problems with the state unless they have contravened national laws. For example, during 2010, some NGOs that had broken laws related to child care were scrutinized. While NGOs can engage lawyers for assistance in navigating the Companies Code, there is a lack of lawyers or organizations specialized in NGO legal assistance. The eventual adoption of an NPO Law is expected to pave the way for specialized lawyers.

NGOs are eligible for tax exemptions, but procedures for claiming them are burdensome and time consuming. NGOs are not prevented from earning income and are also able to compete for government contracts at the local and national levels.

ORGANIZATIONAL CAPACITY: 3.9



NGOs in Ghana generally have defined mission statements outlining their work and constituencies. Larger NGOs, often located in urban areas, are more successful at sticking to their missions. Such organizations may have long-term strategic plans, but are hampered in implementing them by funding considerations. In contrast, smaller NGOs tend to pursue funding opportunities without regard for their fit with the NGOs' stated goals.

In order to meet registration requirements, even smaller NGOs have outlined management structures, including boards, with clearly defined roles on paper. However, the extent of a board's influence in the long-term planning and operation of most organizations is minimal. Most boards do not meet regularly and are therefore unable to perform their oversight functions properly.

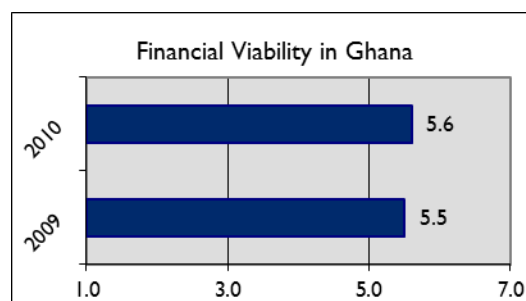
Only larger NGOs are able to employ staff on a permanent basis. Most NGOs engage their personnel on short-term contracts. It is becoming increasingly difficult for NGOs, both large and small, to maintain

permanent staff due to the lack of long-term funding for their activities. Volunteerism, which used to provide much of the personnel needed to implement activities, especially at the local level, is declining as a result of occupational and geographical mobility and the general decline in communal work ethic across the country.

Smaller NGOs do not have well-equipped offices, but the advent of mobile Internet modems has made it possible for many of them to have Internet access on a regular basis. Some NGOs depend on commercial enterprises for the use of fax machines and scanners.

FINANCIAL VIABILITY: 5.6

The financial position of many NGOs has weakened over the past year. Foreign donors remain the primary source of funding for Ghanaian NGOs. The global financial crisis has reduced the pool of funds available from foreign donors, with several loyal donors terminating their funding this year. The DFID-funded Rights and Voice Initiative (RAVI) project, which provided funds for many smaller NGOs, ended in 2010, as did the multi-donor funded Ghana Research and Advocacy Program (G-RAP), which provided core funding to NGOs, notably RAOs. The loss of these funding sources has had a dramatic negative effect on organizational sustainability. Smaller organizations that depend on short-term or annual grants to implement their activities have been especially hard hit.



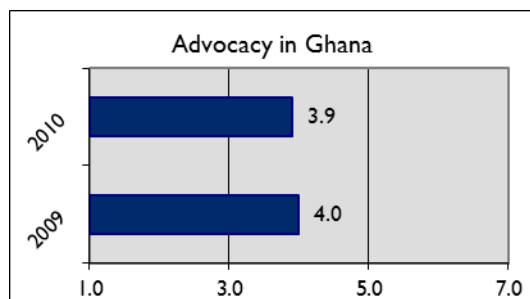
A handful of new programs fills some of this gap. The establishment of the Savannah Accelerated Development Authority (SADA) to develop the northern part of the country is expected to provide some governmental support for NGO activities, especially outreach activities among community members to promote participation and social accountability, and monitoring of project implementation. The Mwanachi Program, a component of DFID's Governance Transparency Fund (GTF), provides funding for smaller NGOs to carry out activities aimed at strengthening citizen engagement in governance and development. The successor to G-RAP - Strengthening Transparency, Accountability and Responsiveness (STAR) in Ghana - was not fully operational in 2010 and therefore did not disburse a substantial amount of funds for NGO activities. It is expected to commence disbursement of funds in 2011.

The government provides no financial support to NGOs. Local and multi-national companies now engage actively in corporate social responsibility (CSR), although provide little direct support to NGOs. Telecommunications companies have begun to set up foundations, some of which offer grants to CBOs with a focus on education and health. Individual philanthropy does not yet exist, outside of some technical or professional support provided by friends or close associates.

NGOs are able to earn income from consulting and other services rendered to the government and business sector; however, such opportunities are usually only realistic for larger NGOs with greater technical capacity, such as RAOs. Networks and coalitions generally charge their members dues, but collection - especially from smaller NGOs - is problematic.

The decline in funding has forced both large and small NGOs to implement prudent financial management practices. NGOs have become more careful to avoid duplication of activities, have deepened collaboration with media to reduce the cost of publicity, and have initiated some cost recovery programs, such as the sale of publications.

ADVOCACY: 3.9



Communication between government and NGOs has improved considerably over the past year, with sustained cooperation on a number of major policy issues at both the national and local levels. For instance, an NGO representative was appointed to the management committee of the government's School Feeding Program. A group of NGOs worked together to review the Ghana Shared Growth and Development Agenda (GSGDA 2010-2013), the national medium-term development framework. In August 2010, NGOs presented a seventeen page analysis of the

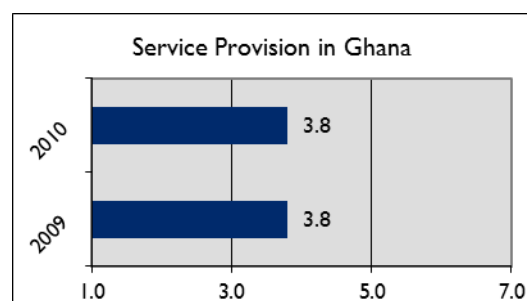
GSGDA's thematic sections; most of their recommendations were included in the final document. The CSO Platform on Oil and Gas carried out sustained lobbying and advocacy during the year, substantively reviewing and contributing to the Petroleum Revenue Management Law. The Right to Information (RTI) coalition continued to advocate for the passage of the Right to Information Law.

NGOs in both urban and rural areas participated in public consultations on the constitution and decentralization that were held during the year to elicit citizen opinions. In addition, as described above, NGOs worked through the NCG to develop the draft NPO Bill, which has been submitted to the Attorney General's Department. NGOs continue to actively push the department to forward the bill to the cabinet for consideration.

Collaboration between parliament and NGOs was instrumental in shaping debates on a number of bills, notably the Petroleum Revenue Management and the SADA bill.

SERVICE PROVISION: 3.8

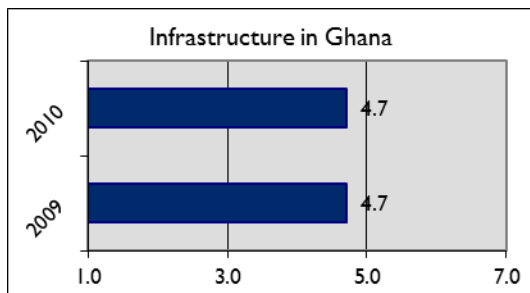
Ghanaian NGOs provide valuable goods and services across all sectors. During 2010, NGOs played critical roles responding to national disasters. Notably, NGOs provided vital relief to community members affected by floods in Ashaiman in the Greater Accra Region and Agona Swedru in the Central Region in June 2010. Media and faith-based organizations were instrumental in mobilizing resources for victims. NGOs also continue to collaborate with local governments to provide water access to communities that lack government-provided water infrastructure.



NGO products, including publications, are usually marketed broadly. Publications are generally sold at or below cost, except in those rare cases where demand for the product exceeds the initial production. In addition, the expert services of NGO staff in policy development and capacity building are in great demand by government and the private sector.

INFRASTRUCTURE: 4.7

NGOs have access to a few resource centers, mainly in Accra, which are run by multilateral donors. The UNDP Civil Society Resource Center and the World Bank's Public Information Center are the most notable ones, although the former ceased operations this year as a result of funding cuts. RAOs are increasingly developing libraries, while also continuing to offer Internet access. Some organizations re-grant international donor funds, albeit rarely, to address locally identified needs and projects.



Coalitions and umbrella organizations bring together NGOs working on similar issues mainly to implement specific advocacy initiatives. Due to the lack of long-term funding, these coalitions struggle to operate on a sustained basis; therefore, ongoing information sharing is limited. CONnet-Ghana, consisting of twenty-one networks and coalitions, seeks to increase the effectiveness of civil society in Ghana by developing the capacity of member networks. Through the GACC, CONnet assessed member networks' adherence to certain principles and benchmarks, including

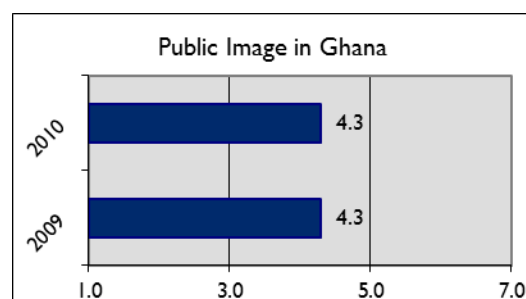
accountability, effectiveness, and operations. Participating networks committed to undergo an annual review to assess their improvement.

Training programs have been created to improve the capacity of NGOs, including programs in project management offered at the university level. In addition, consulting firms and CSOs have developed private training programs facilitated by local trainers. For instance, the West Africa Civil Society Institute (WACSI) rolled out courses for civil society actors on NGO management, fundraising, and project management, among others, at the beginning of the year.

NGOs have partnered with media and the private sector on a number of issues. For instance, GACC has engaged the Ghana Chamber of Mines, the Association of Ghana Industries (AGI), and some media organizations in the fight against corruption in both public and private sectors of the economy.

PUBLIC IMAGE: 4.3

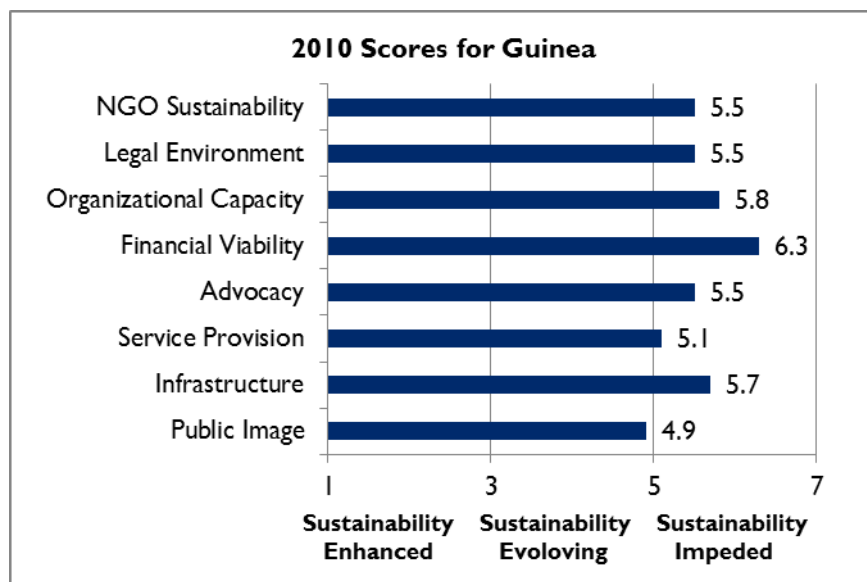
The image of NGOs in Ghana is generally good. NGOs receive widespread media coverage for their activities at both local and national levels. The proliferation of FM radio stations in Ghana has increased the coverage of NGO activities in local languages. However, the focus of media, especially FM radio stations, on political party activities is narrowing the media space for NGOs. On a number of occasions, the Ghana Journalist Association and the National Media Commission admonished media practitioners for failing to take developmental issues into account in their reporting.



Communities are generally supportive of NGOs engaged in the provision of social services. Although government and the business sector have a positive view of NGOs and consult think tanks on many pertinent issues, they are not generally interested in funding them.

Larger NGOs based in urban centers publish annual reports. NGOs previously attempted to improve their performance through an independent body called the Standards Commission that reviewed NGO standards, but this initiative is no longer active due to financial and organizational problems. While GACC carries out the peer assessment of NGO networks under the auspices of CONnet-Ghana, there is no recognized code of ethics for individual NGOs.

GUINEA



Capital: Conakry

Government Type:
Republic

Population:
10,601,009 (July 2011 est.)

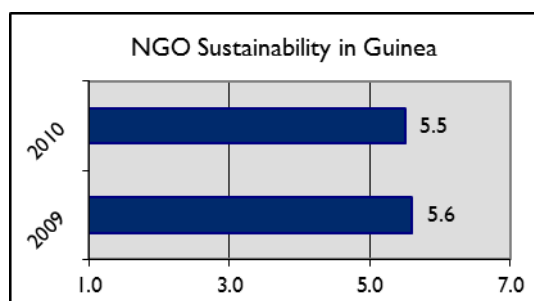
GDP per capita (PPP):
\$1,000 (2010 est.)

Human Development Index: 178 (2011)

NGO SUSTAINABILITY: 5.5

In 2010, Guinea's political elite engaged in a series of talks to find a solution to the political crisis initiated by the military coup d'état in December 2008. Following intense negotiations, the relevant parties agreed to a democratic transition to civilian rule, paving the way for the election of Alpha Condé as President of the Republic on November 7, 2010. Preparations for the presidential elections dominated the year.

2010 was also marked by a tentative return of the development partners that had left the country after the coup. Most donors only funded activities related to the presidential election during the year, which resulted in a rush of NGO projects aimed at voter mobilization and election observation. Special attention was paid to involving youth and women in the electoral process. Donor funding also allowed human rights NGOs to investigate the serious human rights violations that occurred throughout the electoral process. These activities were largely implemented through consortia, the most active of which were the National Council of Guinean CSOs (CNOSCG), the Coalition for the Domestic Observation of Elections (CODE), and the Coalition of Human Rights Organizations (CODDH).



It is difficult to obtain an accurate count of NGOs in Guinea, as registration can take place at the prefect, regional, or national levels. In 2009, the National Service for Assistance to Cooperatives and NGOs Coordination (SACCO) reported that it had registered 125 international

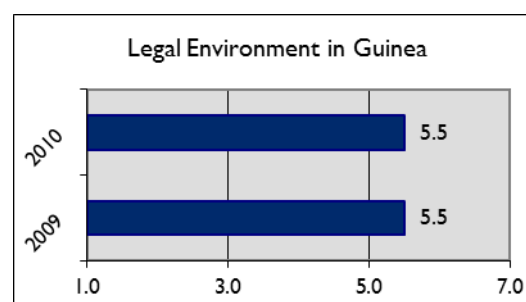


NGOs, 555 national NGOs, and 1,257 coalitions. Less than thirty percent of these are estimated to be truly operational.

The withdrawal of development partners over the past few years severely reduced the financial resources available to NGOs, preventing them from improving their infrastructure or enhancing their organizational capacity. However, the scarcity of resources also forced Guinean NGOs to form consortia to advocate for the quick return of constitutional order, which has significantly improved the sector's public image. While the sustainability of NGOs changed little in 2010, the NGO sector is now optimistic about its future prospects after the election of the first democratically-elected president, the gradual return of traditional development partners, and the growing international interest in the country.

LEGAL ENVIRONMENT: 5.5

Since 2005, two laws, L2005/013/AN and L2005/014/AN, have governed the operations of associations, cooperatives, groups, networks, and platforms. NGOs have the option of registering at the sub- prefecture, prefecture, regional, or national levels. SACCO, an autonomous public institution set up by the government to coordinate and support NGOs, continues to be in charge of NGO certification. Certification can be received by simply paying a fee; there are no controls in place to verify the background of an NGO's founders.



The absence of specific legal provisions setting registration costs is problematic. As NGOs are not a priority issue for the transitional government, SACCO and its local offices receive very little oversight, allowing them to abuse their position of authority and set arbitrary rates for NGO registration.

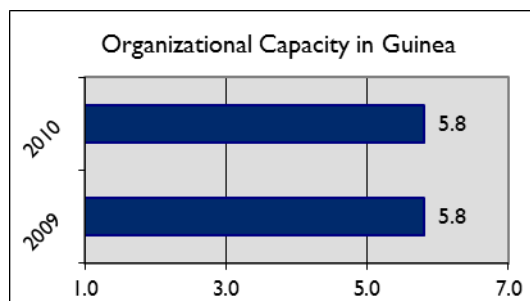
The law clearly defines the normal standards for NGO operations, including internal management, scope of activities, financial reporting requirements, and the need for internal and external audits. However, enforcement of these provisions remains weak. The few NGOs that meet these legal standards generally do so under pressure from their foreign partners and donors.

NGOs are generally free to express public criticism on development issues and policies. In 2010, the transitional government was focused almost exclusively on organizing the presidential election and had little incentive to restrict NGOs' freedom of expression. The presence of civil society actors in the transitional government also reduced tensions with NGOs.

A few law firms in Guinea understand NGO laws and regulations. While leading NGOs engage these law firms when needed, the majority of NGOs do not have the financial means to pay for legal advice. In addition, law firms are concentrated in the capital, making them largely inaccessible to NGOs based elsewhere in the country.

The Finance Bill provides NGOs with some tax exemptions, but most NGOs are unable to access these benefits because of the complex procedures, their lack of knowledge about the exemptions and the process for claiming them, and the corruption of public officials responsible for the exemptions. There is no specific legislation allowing NGOs to generate income from the provision of goods and services, but there are also no restrictions on the subject. NGOs that engage in income-generating activities do not face any legal problems, but must reinvest the revenue in the NGO's activities. The government rarely invites NGOs to bid on procurements.

ORGANIZATIONAL CAPACITY: 5.8



A minority of Guinean NGOs engage in strategic planning or identify clear missions to guide their work. NGOs have a weak understanding of these practices, lack skilled human resources in this area, and can not afford outside consultants to guide them through the process. Some Guinean NGOs set up support groups to serve as management committees for specific projects.

While the legal framework may dictate an NGO's organizational structure, these structures are notoriously

dysfunctional in practice. Many organizations combine governance and management roles in violation of existing regulations. In most cases, the president, deputy, and treasurer make all decisions affecting the organization. Other members are often marginalized and uninformed. General assemblies are rarely held, leaving marginalized members with few opportunities to sanction the management team. When a general assembly is held, the NGO's president often buys the marginalized members' silence in advance. Members generally acquiesce to this pressure as they consider the president, who is often the NGO founder as well, to be the "owner" of the organization.

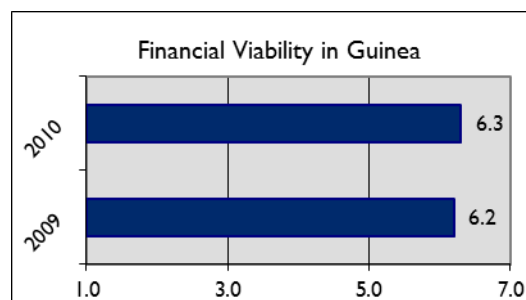
Guinean NGOs do not have employment plans or human resources policies. In general, NGOs are subject to the personnel rules of the donor funding the project or program on which they work.

Voluntary work is the driving force behind the operations of most Guinean NGOs. While this allows many groups to function, it can exacerbate the poor quality of services, as volunteers are unlikely to have the skills of permanent staff or be able to commit to an organization over the long term.

The lack of electricity and Internet connections in much of the country, as well as limited financial resources, hinders NGOs' ability to acquire and properly use information and communication technologies.

FINANCIAL VIABILITY: 6.3

Most Guinean NGOs rely on foreign donors. In 2009, many foreign donors and partners left Guinea to protest the military junta's seizure of power. All Western embassies froze their cooperation with the country, and fearing violence, some embassies withdrew their non-essential staff from the country. The economic embargo limited both the diversification of funding sources and the level of funding of various bilateral and multilateral partners, and hampered NGOs' sustainability in the short term. In 2010, funders started a timid comeback to Guinea, although they have not yet resumed the levels of support they previously granted to NGOs.



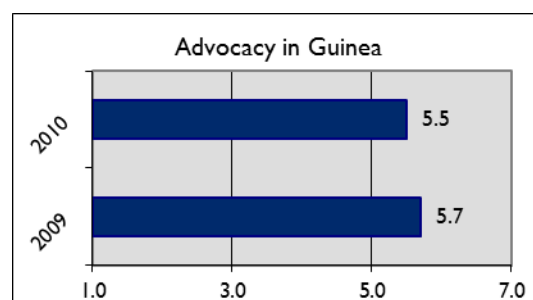
Communities participate in and contribute towards the achievement of micro-projects. Some funders require community contributions of between 5 and 10% of the total project cost, which can be provided in-kind. For example, PACV, the World Bank-funded Village Support Program which promotes investment in local communities, requests 8% of the total project budget in the form of community participation.

The contributions of NGO members are infrequent and insufficient to cover even the administrative expenses of most NGOs. Few Guinean NGOs have a large base of supporting members able to provide voluntary or philanthropic support, and NGOs do not generally develop a communications strategy to try to reach out to potentially new members.

A small group of NGOs is able to earn some revenue by providing professional services for a fee to government or local companies, thereby ensuring their viability. Mining companies contract NGOs to help communities in mining areas draft local development plans, and to conduct awareness campaigns and implement projects that promote peaceful relations between the mining companies and local communities. For example, an NGO received funding from a mining company to place sentinels at each railway crossing point used when transporting ore to the port in Conakry in order to reduce the number of accidents.

Most NGOs are unable to meet the basic standards of financial governance, including the use of independent financial audits and the publication of annual reports with financial statements.

ADVOCACY: 5.5



The Guinean government set up an autonomous public institution, SACCO, in the mid-1980s to coordinate and support NGOs in their operations. SACCO is also supposed to help increase government understanding of the sector. Unfortunately, SACCO has no coherent policy or mechanisms in place to promote NGOs effectively.

In 2010, NGOs were at the forefront of the fight for the return to constitutional order, and therefore had great influence on the government. In particular, CNOSCG led

the platform which pressured the junta to step down, leading to the establishment of the transitional bodies, including the government and the National Transitional Council (CNT), and the November elections. CNOSCG members also served as delegates in the transitional bodies.

Thanks to NGOs' election observation mechanisms, the presidential election was transparent. The results released by NGOs were almost identical to those announced by the Independent National Election Commission (CENI). As a result, competing politicians abandoned all attempts to contest the election results.

In some cases, NGO networks work with the government to develop public policies. For example, in 2010, intense advocacy by the National Coalition of Guinea for the Rights and Citizenship of Women (CONAG-DCF) influenced the development of the Family Code and its adoption, while the Coordination of Women's NGOs of Guinea (COFEG) pushed to increase the role of women in decision making. Both of these networks increasingly participate in the formulation and implementation of public policies concerning women's issues.

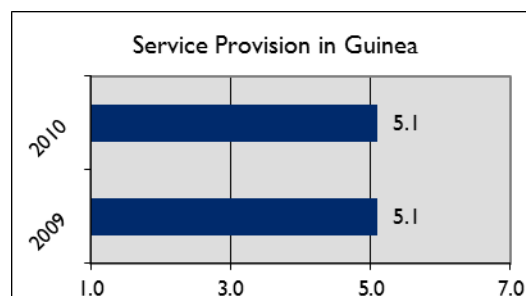
Buoyed by this position of strength, NGOs have been pushing the government to end the transition by organizing legislative and local government elections in order to accelerate the return of development partners who support their activities. NGOs also exerted targeted pressure on the state to improve the status of NGOs. For example, as a result of NGO advocacy, certain categories of NGOs are now recognized as public benefit organizations, and are eligible for financial support from the state.

SERVICE PROVISION: 5.1

Most Guinean NGOs provide services to help communities implement their development priorities. NGOs are engaged in behavioral change communication, income generating activities, micro-credit, and the provision of basic infrastructure and social services. In addition, NGOs conducted extensive training programs in citizenship and election observation in 2010. Despite this wide array of services and products, Guinean NGOs still lack professionalism, which undermines the quality and effectiveness of the services they provide.

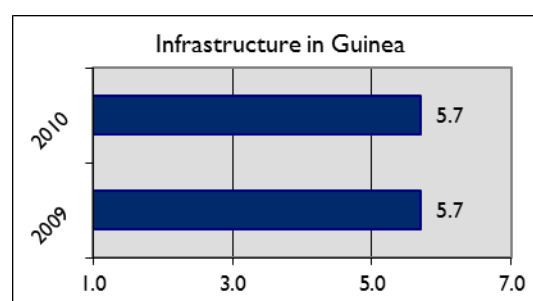
Thanks to the World Bank's Village Support Program (PACV), rural communities in Guinea all have a Local Development Plan (LDP) which identifies local priorities. Some NGOs and associations implement activities that do not fit into a community's LDP; such interventions are destined to fail in most cases.

Guinean NGOs are weak in research and analysis. NGOs have difficulty disseminating publications and other products to other NGOs, much less academics and the government.



The Government of Guinea rarely provides NGOs with direct contracts. Specialized NGOs are sometimes able to get contracts, although corrupt officials often force them to pay bribes to obtain tenders. In addition, development partners often require the government to award service contracts to NGOs, most frequently in the area of school construction, where funders require the government to award contracts to NGOs to supervise the work performed by the firms they hire. Inflation and market instability complicate NGO efforts to generate income.

INFRASTRUCTURE: 5.7



Theoretically, SACCO and its field offices across the country should act as intermediary support organizations and resource centers. Unfortunately, due mainly to a lack of financial resources, SACCO has been unable to fulfill its role effectively since the departure of its Italian development partners in the mid-1990s. As a result, NGOs generally do not have sufficient access to training and information.

Since 2007, UNDP has operated Proximity Information Centers (PIC) to build the capacity of youth associations.

PICs provide training in communications and project management, social mobilization techniques, strategic and operational planning, and project monitoring and evaluation, among other topics. Unfortunately, to date, these centers are only available in Conakry and other main cities and therefore support a very limited number of youth groups.

NGOs share information within various networks. However, there is no operational platform for the exchange of information across the sector as a whole. CNOSCG continues to play a federating role of NGOs to some extent. However, in line with its position as a watchdog organization, CNOSCG spends significant time advocating and lobbying to improve citizens' lives. In 2010, CNOSCG distinguished itself by its involvement in the transition and presidential elections, even delegating members to sit in the government and the CNT, which is temporarily serving the function of the National Assembly. The CNOSCG presence in the government was interpreted by civil society actors in diverse ways, but most did not appreciate it. As a result, NGOs in Guinea no longer have a trusted committee or body through which they can defend their interests.

Some NGO networks, as well as some private firms, offer training to NGOs. However, the quality and content of this training is not regulated or monitored. Some of the training provided by independent firms and consultants does not meet beneficiary needs. Guinea lacks an institution capable of providing specialized and advanced training in areas such as strategic management, accounting, financial management, fundraising, volunteer management, or the establishment of boards of directors. No progress was made in this area in 2010.

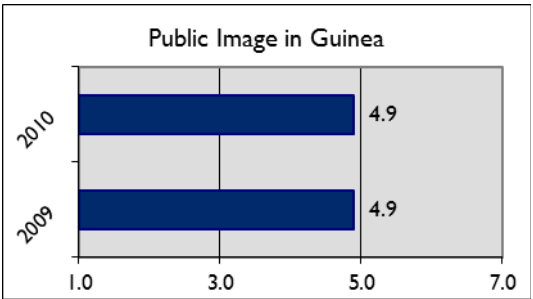
Support organizations and community foundations re-grant funds from external donors to local NGOs to meet needs identified at the local level.

In general, NGOs operating in specific sectors feel the need to partner with the relevant government agencies. Partnerships between NGOs and businesses are rare. Despite the weaknesses of intersectoral partnerships, there has been a renewed interest in recent years by NGOs, business, government, and the media to build networks to achieve common goals.

PUBLIC IMAGE: 4.9

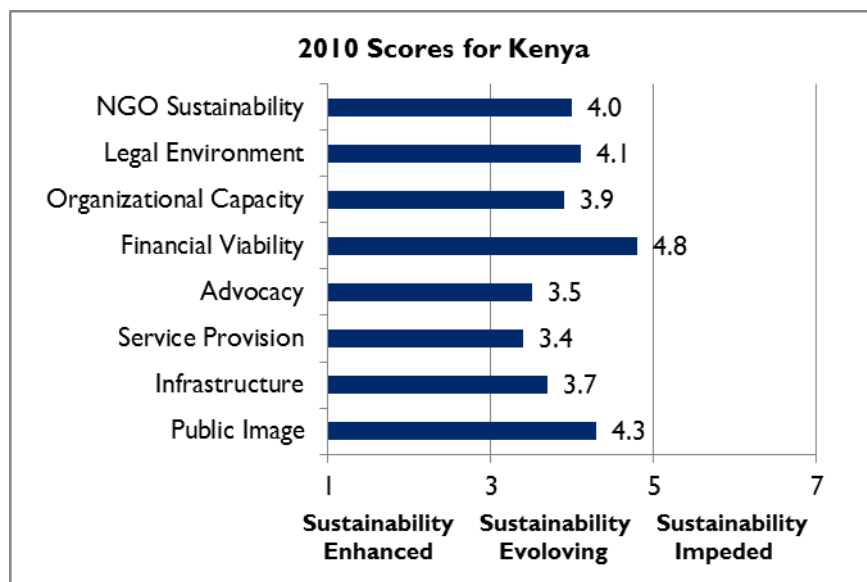
In general, NGOs receive good media coverage at the local and national levels. NGOs often pay reduced rates to publicize their activities. The press, for the most part, has a positive perception of NGOs’ role in social and economic development.

The population of Guinea continues to have a very good understanding of the role of NGOs, as witnessed by the active involvement of local communities in project implementation. The government and most businesses also have a positive opinion of NGOs, especially those that offer relevant expertise and services. More and more companies rely on NGOs for social mobilization, awareness raising, and environmental protection.



Only a few Guinean NGOs utilize management tools to foster transparency in their work. Guinean NGOs still do not have a code of conduct. While some NGOs submit financial and narrative progress reports to their donors and partners, the publication of annual reports is not yet common practice among NGOs in the Republic of Guinea.

KENYA



Capital: Nairobi

Government Type:
Republic

Population:
41,070,934 (July 2011 est.)

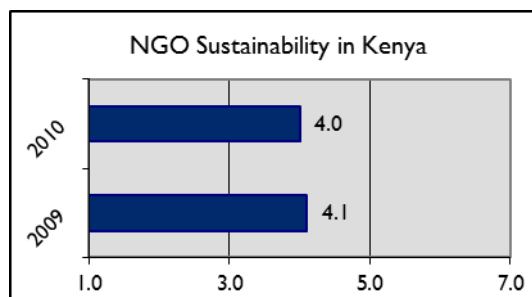
GDP per capita (PPP):
\$1,600 (2010 est.)

Human Development Index: 143 (2011)

NGO SUSTAINABILITY: 4.0

2010 was the dawn of a new era for Kenya. Following the disputed presidential election of December 2007 and the ensuing violence, international and local actors pressured the government to review the constitution. The new constitution was promulgated on August 27, 2010. The constitution establishes a solid legal and institutional framework that promotes good governance, human rights, rule of law, safety, and security for all. Furthermore, the new constitution, with its emphasis on freedom of association, provides civil society with a strong legal basis on which to operate.

Implementation of the constitution is now key to ensuring the country's political, social and economic stability. The constitution calls for public participation in the formulation of laws and policies so that the rights it guarantees can be realized.



The term civil society organization (CSO) is generally used in Kenya to refer to the wide array of organizations that operate in the realm between the individual and the state and are formed to promote the interests of their members or the public good. The term NGO refers specifically to the almost 6,000 national and international public benefit entities that are registered by the NGO Coordination Board (NGO Board). Though NGOs are just a small part of the larger CSO sector, they are the most visible. Other types of CSOs include community based organizations (CBOs, which

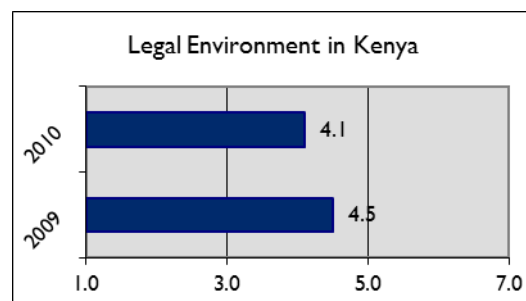
number over 300,000), societies (32,000), non-profit companies limited by guarantee, and trusts.

LEGAL ENVIRONMENT: 4.1

Kenya's new constitution is the most significant achievement for CSOs in recent history. The constitution lays the basis for holistic legislative and institutional reform and a more enabling environment for CSOs, and guarantees freedom of association.

CSOs in Kenya have the choice of registering as NGOs, companies limited by guarantee, trusts (under the Perpetual Succession Act), community based organizations (including self-help groups, women's and youth groups), or societies.

The constitution provides sufficient space for NGOs to thrive even without having to register, prohibits denial of registration on unreasonable grounds, and protects NGOs from arbitrary dissolution.



Organizations operating for the public benefit register as NGOs under the NGO Coordination Act of 1990. NGOs register with the NGO Board, a government agency which also coordinates and facilitates the work of NGOs. On paper, NGO registration is relatively easy. In practice, however, registration can be a lengthy process. The laws do not provide time limits within which authorities must respond to a registration application. Additionally, registration requires a vetting process, which is usually undertaken by the national security agency, and can take a long time. Vetting is aimed at ensuring the integrity of the people establishing an NGO and verifying that applicants do not pose a threat to national security. The NGO Board has intervened in some cases where the vetting process has taken over six months. Additional registration hurdles include the need for legal expertise to draw up founding documents. In contrast to 2009, advocacy NGOs are no longer subjected to registration hurdles by virtue of their intended field of operation. CSOs that choose to register as trusts or companies limited by guarantee are subject to relatively high registration fees.

The NGO Act and related regulations provide general guidelines on matters such as internal management and annual and financial reporting. NGOs are free to structure their management and governance systems within the legal guidelines. NGOs are required to publish financial statements in their annual reports. However, given its limited human resources and other capacities, the NGO Board has a difficult time enforcing these regulations.

NGOs are now largely free to operate without government interference. Even advocacy groups are generally free to operate as long as they do so within the law. NGOs can freely address matters of public debate and are free to criticize government actions. In a few instances, picketing or protests - though allowed by the new constitution - have led to arrests. For example, on August 27, 2010, immediately after a ceremony promulgating the new constitution, two men were arrested while demonstrating against the government's invitation of Sudanese President Omar al-Bashir. The arrested persons were charged and released within twenty-four hours.

In some cases, the provincial administration and local authorities are not aware of NGOs' rights and seek to impose unlawful restrictions. There are also instances of interference by local politicians in NGO employment practices. For example, NGOs - primarily in remote parts of the country - have employed unqualified persons related to or acquainted with local legislators in order to avoid problems in their work.

There are a number of lawyers who work with NGOs but few private practitioners specialize in NGO law per se. Lawyers are concentrated in cities, especially Nairobi.

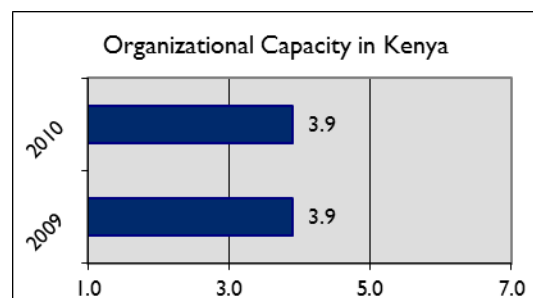
Donations to not-for-profit organizations that operate for the public benefit are tax deductible. NGOs are exempt from income tax on grants and economic activities, as well as from VAT for the procurement of goods and services related to the NGO's mission. However, exemption is not automatic. An organization must apply for the income tax exemption every three years and for the VAT exemption as often as required.

NGOs complain that the process of applying for tax exemptions is tedious and lengthy. Also, these benefits are not widely publicized. While the NGO Board shares information about these benefits during the registration process for NGOs, the Companies Registrar does not make the information available to organizations seeking registration as companies limited by guarantee. Many NGOs also fear audit by the Kenya Revenue Authority (KRA), which is more likely if they receive tax exemptions.

The Income Tax Act allows an NGO to generate income, which is exempt from tax if the income is from business that is carried on in the execution of the NGO's purposes; is carried out by the NGO's beneficiaries; or is derived from rent, leasing land or attendant chattel.

In theory, NGOs can compete for government contracts. However, they are not very competitive and there are no specific legal provisions to guide contracting to NGOs. A number of NGOs compete for government grants from the Ministry of Planning, the Community Development Trust Fund (CDTF), Micro-Enterprises Support Program Trust (MESPT) and the Global Fund.

ORGANIZATIONAL CAPACITY: 3.9



Most but not all NGOs engage their constituencies and target groups in the design and implementation of their projects and activities. Those that do not generally lack legitimacy and do not enjoy sufficient local support. Faith-based NGOs generally have clearly identified constituencies willing to volunteer their time and resources.

As a result of extensive training, many NGOs have strategic plans with missions, visions and strategic objectives.

However, it is not clear whether strategic planning is perceived as important or simply done to please donors and constituents, as few NGOs follow their plans, especially in their day-to-day decision making. Smaller local NGOs, CBOs and unregistered, grassroots organizations generally have not institutionalized strategic planning because they lack the money to hire consultants with the required skills. Many local NGOs also change their missions to respond to funding opportunities. International NGOs, which constitute about 25% of the organizations registered with the NGO Board, are much more likely to adhere to their missions.

Larger NGOs tend to have clear management structures and separation of responsibilities between the management and board. Grassroots organizations, on the other hand, generally do not have defined management and governance structures unless their funders demand them. However, most of these smaller organizations still have elected officials and are accountable to their members.

While some NGOs are well governed and frequently elect or appoint new leaders, weak governance is a problem across the board for both international and national NGOs. Most NGO governing bodies are not independent, but hand-picked by the NGOs' founders. While international NGOs have boards that are constituted abroad, there is concern about how those governing bodies respond to the concerns of local communities.

The NGO Board requires NGOs to have certain governance structures in place to register. The Board issued notices to 65 NGOs in 2010 to form substantive boards and separate powers between their board and management. These notices were based on a review of the NGOs' constitutions; the board avers that the number would have been higher if the review was based on actual practices.

Most NGOs face challenges retaining permanent staff due to a lack of sustainable funding, as well as restrictions imposed by donors against the application of grant monies towards administrative costs. Hence, most organizations employ staff on contracts of between one and three years and cannot afford to provide

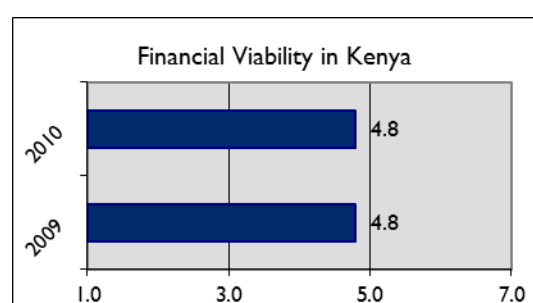
competitive remuneration. Many NGOs have human resource policies, although these are often not operationalized.

Some of the larger NGOs have regular access to professional services, while smaller NGOs engage professionals such as IT technicians and accountants on a needs basis.

Many NGOs engage volunteers. Some organizations are overly dependent on volunteers because they lack sufficient funds to hire permanent employees. The culture of volunteerism has not been nurtured sufficiently.

NGOs are more technologically savvy than the government, although few NGOs have the luxury of applying funds towards the purchase of equipment. Many donors are unwilling to fund infrastructure and restrict the ability of NGOs to modernize through strict stipulations on the use of funds.

FINANCIAL VIABILITY: 4.8



According to reports filed with the NGO Board, 88% of revenue for registered NGOs comes from foreign sources. Most registered NGOs are dependent on a single foreign donor for most of their funding, which tends to be project-based. Though many registered NGOs would like to diversify their funding, they find it difficult to do so as the environment is highly competitive.

The situation is dramatically different for membership organizations, including professional associations, recreation, mutual and welfare groups. Most of these organizations generate revenue by charging fees for their services.

NGOs have not invested adequately in raising funds locally. According to the NGO Board, only 12% of registered NGOs raise any funds locally. Only 0.4% of the funds raised by registered NGOs are in the form of community contributions. Apart from faith-based organizations, most NGOs have not cultivated local groups of supporters who identify with NGOs' causes or missions.

NGOs' efforts to raise funds from the communities in which they work are hurt by the perception that NGOs are financially fit and are not sufficiently accountable. NGOs are also considered foreign funded agencies with donor driven agendas as opposed to locally rooted organizations.

While there are efforts to develop local philanthropy, contributions from these sources are negligible. Nonetheless, there is a willingness by Kenyans to provide support to initiatives that are well publicized. NGOs also enjoy non-financial contributions through volunteers. While Kenyans may give generously to publicized humanitarian efforts, they rarely support advocacy and governance organizations.

Only a few registered NGOs supplement their revenues with income from fixed assets and financial instruments, such as stocks. According to 2009/2010 reports submitted to the NGO Board, only 1% of NGO assets were held in stocks. Only 12% of NGOs have land or buildings. NGOs rarely offer services for fees. Only CBOs, professional associations, and clubs raise a good proportion of their revenue from members; otherwise NGO membership dues are generally insignificant. Increasingly, government awards contracts to NGOs for services. The recent devolution of finances and services to the county level creates new opportunities for NGOs to compete for government funds. The government also awards grants. In 2010, government agencies awarded approximately KES 1.85 billion (approximately \$19.7 million) in grants to NGOs.

The law requires NGOs to publish their financial statements. Some NGOs, mostly international organizations, have sound financial systems and publish annual reports. The practice is different for smaller

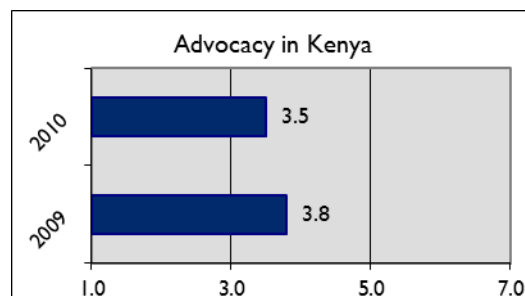
NGOs due to inadequate capacity. Most small NGOs, especially those in rural areas, do not have basic financial systems and records. In some cases, NGOs are driven by donor requirements to set up financial systems.

NGOs do not always operate in a transparent manner. Even where financial systems are in place, NGOs' willingness to be transparent is limited. For example, some international NGOs do not conduct local audits. Sometimes audit reports fail to meet basic standards, which raises questions about the competence or integrity of the auditors. Nonetheless, the sector has improved tremendously in this area overall.

ADVOCACY: 3.5

Government and NGO collaboration generally remains ad hoc in nature. There are, however, instances of successful collaboration at both the national and local levels. NGOs focused on governance and the implementation of the new constitution work closely with policy makers to advocate for enabling laws.

During the first part of 2010, CSOs continued to carry out civic education on the proposed constitution. After the constitution was promulgated, political discourse shifted to the newly created county governance system, as well as the constitution's implementation. Civil society actors, together with the private sector, development partners and the media, highlighted the potential of the new counties as engines of economic growth and democracy. NGOs also urged the public to be vigilant in order to ensure transparent implementation of the constitution. Finally, civil society organizations also carried out civic education on the new constitution's provisions in order to address misconceptions that had the potential to fuel conflict and violence.



Government, on its part, provides for structured civil society input and participation in policy making through task forces established in various ministries, parliamentary committees and public hearings.

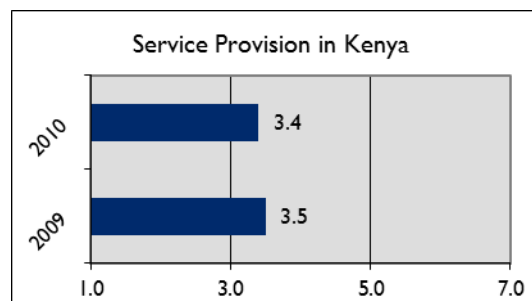
Advocacy organizations are well organized and caucuses and coalitions are visible. Democracy and governance coalitions, including the Citizens' Coalition for Constitutional Culture (4Cs), Muungano wa wanavijiji, Kenya Civic Education Programme (NCEP), and the Constitution and Reform Education Consortium (CRECO), are well-known for their advocacy and civic education work at the national and grassroots level over the years.

There are ongoing efforts by NGOs to improve the existing legal environment. An NGO-led initiative has widely consulted NGOs around the country and included their input in a draft Public Benefit Organizations (PBO) Bill. Through this initiative, NGOs have engaged with a number of government agencies, including the NGO Board and the Kenya Law Review Commission, to get buy-in for the passage of the bill.

Despite these successes, NGOs face a number of challenges when collaborating with the government. Some MPs have a very poor perception of NGOs. Many NGOs, especially advocacy organizations, also still take an antagonistic stance in their engagement with the government.

Also, legal frameworks for public participation are lacking. NGOs often are invited to attend government meetings with very short notice. NGOs may have access to policy making mechanisms, but the extent to which their proposals inform the final products is another thing. Many NGOs complain that the relationship between NGOs and the government is governed by the three Is: government Invites NGOs to a meeting, Informs them about a policy, and then Ignores their proposals.

SERVICE PROVISION: 3.4



Although funding is declining, NGOs continue to provide services and still reach very remote districts. NGOs' product line stretches across a variety of fields. According to the NGO Board, in 2009/2010 NGOs provided KES 27 billion (approximately \$288 million) in relief and health services, KES 21 billion (approximately \$224 million) in HIV and AIDS services, and KES 7 billion (approximately \$74 million) in agriculture and water and sanitation services.

Though some NGOs engage in needs assessments using tools such as participatory rural assessments (PRAs) to design their programs, they remain in the minority. Some NGOs plan programs from their offices in the city and therefore fail to target community-based programs effectively. Many NGO programs are driven by funders. Despite these practices, more and more communities are influencing NGO priorities. Most NGOs work to support constituencies beyond their memberships, share their products openly, and exchange information and knowledge widely.

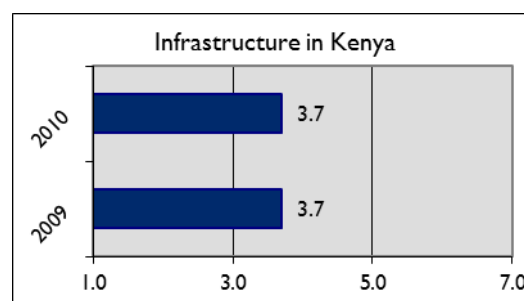
Marketing of NGO products is not common. NGOs do not generally adopt a business approach, tending instead to offer their services for free. A few NGOs recover costs by charging fees, but most NGOs serve very poor communities and consider it counterproductive to charge the poor. The few registered NGOs that offer business services or focus on social enterprises or capacity development do charge fees. Most membership organizations operate by charging fees for their services.

Government recognizes the role of NGOs in supplementing and complementing its services and there is a lot of inter-sectoral engagement and collaboration in service delivery programs, especially at the grassroots level. Government agencies such as the Ministries of Education, Agriculture and Health have partnership policies, and many NGOs participate in district development committees, round tables and other forums.

The government provides some grants to NGOs, for example, through the National AIDS Control Council (NACC) and the Njaa Marufuku program, which aims to eradicate hunger. However, government grants are relatively limited, providing only 1.8% of all income to NGOs in 2009/10.

INFRASTRUCTURE: 3.7

Several ISOs and NGO Resource Centers exist in Kenya, all of which earn a portion of their operating revenue by charging fees for their services. Very few NGOs provide local grantmaking services. Local foundations include Safaricom, Chandaria, and KCB. The Kenya Community Development Foundation and Pact Kenya re-grant international donor funds.



There is a growing move by NGOs to network and share information, even though many NGOs still adopt a competitive approach. Networks for information sharing exist in the areas of health, peace, governance, land, and resource mobilization, among other areas. The National NGO Council, set up by the NGO Coordination Act, is the national umbrella body for registered NGOs. In addition to advancing self-regulation of NGOs, the NGO Council is intended to play a key role in information sharing, but has been unable to effectively carry out its basic mandate due to leadership struggles.

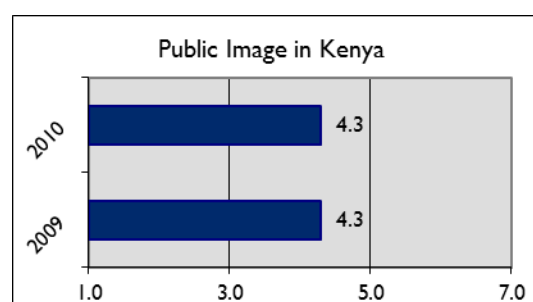
A few agencies have invested significantly in NGO training and capacity development. There are also individual consultants in the sector, mainly in the cities, who are well trained or have significant experience.

Some of the training offered is demand driven and some is donor driven. Many small NGOs do not have access to training, especially if it comes at a cost. In addition, the NGO Board has a program focused on enhancing the legal and financial compliance of NGOs as well as other aspects of technical capacity such as governance. There is, however, still considerable unmet need in the area of NGO training and technical assistance. In the NGO Board's experience, non-compliance by NGOs is often due to weak capacity.

The government has invested significantly in technical assistance to ensure that the content and delivery of training by NGOs and other actors in the education and health sectors meets certain basic standards. In those sectors, NGOs are encouraged to consult with the government when initiating training.

Partnerships exist between the government, the private sector, the NGO sector, and the media. In these relationships, the NGOs play an important role in identifying the gaps and needs in society. Generally, however, awareness of the advantages of such partnerships appears to be low. Examples of NGO/business partnerships include the annual Maralal Camel Derby, which promotes awareness of desertification, and the Stanchart Marathon, which raises funds for the poor.

PUBLIC IMAGE: 4.3



A few NGOs enjoy positive media coverage and some larger NGOs develop productive working relationships with the media. However, the media is more likely to cover negative stories about NGOs, especially when funds have been mismanaged, than to report on the good that NGOs achieve. For example, in 2010, media extensively covered the story of Feed the Children, an international NGO that tried to stop the NGO Board from investigating its accounts. There is a lack of champions at the editorial level in the media houses who understand the importance of what NGOs do. NGOs

occasionally have to pay for coverage.

In rural areas where NGOs offer direct services, the public perception is generally good. At the national level, the public generally perceives working for NGOs as a money making venture. A few NGOs have perpetuated this stereotype, with officers or staff misappropriating or diverting funds for their personal use. Nonetheless, a polling company, Synovate, ranked NGOs as the third most trusted institution after the Interim Independent Election Commission (IIEC) and the media, and ahead of the church.

Government officials, especially at the community level, rely on NGOs and partner with them for development work. Local governments have a more positive perception of NGOs than the national government. Some private sector actors support NGOs in their development activities. While the official position is that government, business and NGOs are partners, in practice these relationships are generally marked by suspicion and a lack of understanding and ignorance about each other.

Most NGOs do not know how to document or tell their stories well. NGO jargon puts off the media and private sector and is not easily understood by the public. Most NGOs lack skills on how to engage the media. Few NGOs have good relations with journalists or invite them to their functions. Most donors do not provide resources for publicity. As a result, other than a few international or larger national organizations, NGOs rarely publicize their work as they have limited budgets and the cost of publicity is very high.

NGOs registered under the NGO Act have to abide by a published code of conduct. The NGO Regulatory Committee, a self-regulation mechanism under the NGO Council, is responsible for ensuring compliance with this code of conduct. However, the Committee has not been effective due to the problems at the NGO Council. Though the code of conduct is not widely understood or consciously adhered to, there are efforts to promote internationally accepted standards on good governance, competence and accountability. The CSO-

led Viwango Kenya initiative seeks to develop sector-wide standards, build the capacity of CSOs to comply with the standards, and establish an institution to assess compliance with the standards. In 2010, the initiative got legally registered, developed standards, and began to set up the certification mechanism.

Leading NGOs publish annual reports but the practice is not widespread. In many cases, NGOs prepare annual reports to meet donor requirements rather than as a practice of internal good governance, transparency and accountability. Many NGOs also publish audit reports in compliance with statutory requirements.

LIBERIA



Capital: Monrovia

Government Type:
Republic

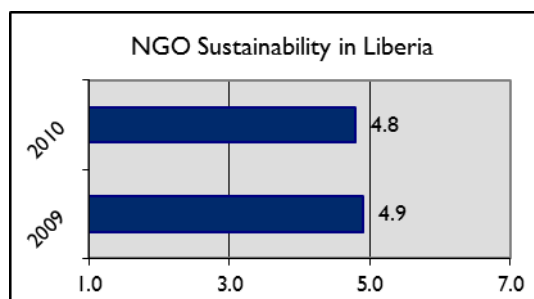
Population:
3,786,764 (July 2011 est.)

GDP per capita (PPP):
\$500 (2010 est.)

Human Development Index: 182 (2011)

NGO SUSTAINABILITY: 4.8

For the past seven years, Liberia has reaped the benefits of a sustained peace. Through an international settlement brokered and sponsored by the international community, hostilities ceased, humanitarian services transitioned from relief to development, and governance was restored at both the national and local levels. General and legislative elections were held, providing Liberians with the opportunity to vote in earnest for the first time. A national economic recovery agenda was developed emphasizing poverty reduction. NGOs and other non-governmental actors have played an important role in the significant recovery and reconstruction efforts to date. NGOs provide a diverse range of services in health, education, agriculture, and social and community development, sometimes acting as the lead service providers. NGOs are increasingly engaged in governance, economic empowerment, and environmental protection. During 2010,



NGOs became more engaged in the direct promotion of democracy, partnering with the National Elections Commission and other agencies to encourage citizens to participate in by-elections and to register and vote in the 2011 elections.

In 2010, the NGO Coordination Unit at the Ministry of Planning and Economic Affairs accredited 192 new NGOs, bringing the total number of accredited NGOs in the country to 606. NGOs operate free from government harassment and are free to operate without intimidation. The 2008 National Policy on Non-Government Organizations (NGO Policy) provides the necessary regulatory framework for NGOs. Registration was facilitated in 2010 by the

establishment of the National Business Registry, a one-stop shop for registration, although on-line registration, also expected to become available in 2010, was delayed. Cooperation between the public sector and local NGOs improved somewhat over the past year, although most ministries are still not set up to engage non-governmental actors in service delivery.

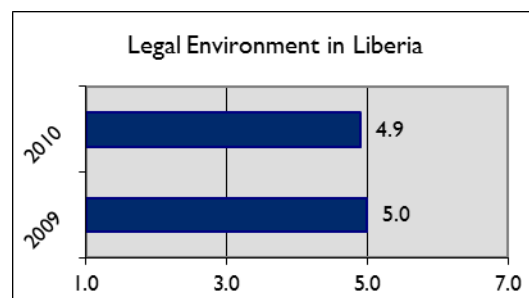
The majority of local NGOs lack a defined mission or strategic plan. Internal governance is also a common weakness. Fund diversity is limited, with most funding coming from international donors.

Networking is evolving. A variety of umbrella organizations coordinate the work of international and local NGOs. In addition, NGOs created several issue-based coalitions to conduct broad-based advocacy campaigns over the past year.

Media coverage of NGOs does not recognize the special role the sector plays in society. Though government perception of NGOs has improved, the public still has mixed opinions about the sector.

LEGAL ENVIRONMENT: 4.9

The legal environment for NGOs in Liberia improved in 2010. The National Policy on Non-Governmental Organizations in Liberia, adopted in 2008, is now fully implemented as the principal regulatory framework for NGOs, including international NGOs. The NGO Coordination Unit at the Ministry of Planning and Economic Affairs is responsible for accrediting NGOs, although NGOs must still register their Articles of Incorporation at the Ministry of Foreign Affairs. NGOs are required to submit periodic reports on their programs and finances, including statements on the sources and uses of funds. Compliance with this requirement, however, remains low.



Implementation of the NGO Policy is still somewhat unwieldy. In particular, NGOs find the varying tiers of registration cumbersome and confusing. The Ministry of Planning is in charge of accrediting NGOs, while line ministries – which were previously engaged in accreditation – are now limited to a coordinating role. Line ministries commonly overstep their role, effectively attempting to accredit NGOs.

Registration of NGOs and businesses was eased this year by the establishment of a National Registry in Monrovia. The registry combines incorporation and registration in a one-stop shop, eliminating the need to file papers separately at three ministries – Foreign Affairs, Finance, and Commerce.

As a result of a change in leadership, the NGO Coordination Unit at the Ministry of Planning delayed the launch of an on-line registration system, which was expected in 2010. The unit continues to operate from Monrovia; the lack of branch offices presents NGOs based in rural areas with problems in registering.

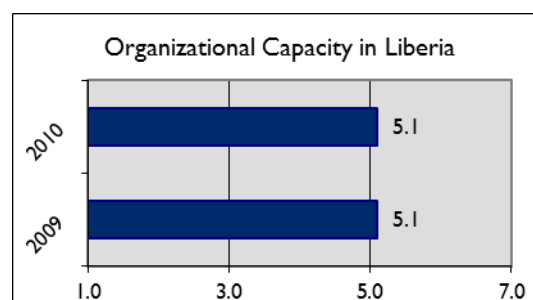
NGOs have the freedom to operate without intimidation. NGOs did not report any harassment by the government in 2010. However, there were instances where local authorities, particularly in rural areas, informally sought favors from local NGOs.

NGOs are able to compete for government contracts. However, by virtue of their limited capabilities, local NGOs are generally unable to take advantage of government contracting opportunities; such opportunities are mostly utilized by international NGOs.

NGOs are entitled to exemptions from customs duties on items imported for their activities. However, the procedure for receiving the exemption is burdensome and time consuming. As a result, most organizations choose to pay the duties rather than apply for the exemption.

There are no lawyers specialized in providing NGOs with legal assistance.

ORGANIZATIONAL CAPACITY: 5.1



Many NGOs were founded by international NGOs or donors during the emergency period to serve as their implementing arm. As a result, the majority of local NGOs do not have clearly defined missions. Most local NGOs also lack strategic planning skills; NGOs generally only develop strategic plans to meet donor requirements, despite an effort by TrustAfrica and UMCOR to introduce strategic planning to a group of organizations.

Internal governance is still a key area of weakness. In most local NGOs, one individual - usually the founder - directs the affairs of the organization. The founder's influence often extends to handpicking people to serve as board members. Boards tend to operate inefficiently: meetings are irregular and minutes are not recorded.

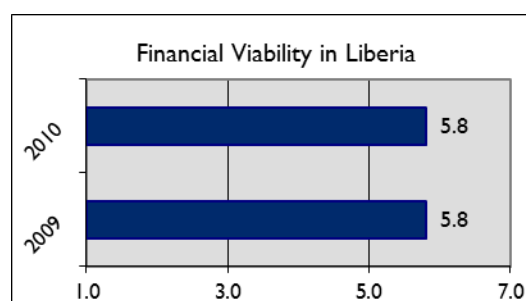
Due to their limited funding, NGOs have a difficult time attracting qualified personnel. Most NGOs do not have the financial resources or flexibility to maintain permanent paid staff. Instead, staff are hired to work on specific projects. Though having an office is a requirement for registration and accreditation, many NGOs do not have their own permanent space. Some NGOs have offices in residential buildings, sometimes in apartments owned by a board member or someone else involved in the organization. Volunteerism is a rather new phenomenon in post-conflict Liberia.

Membership development and constituency building efforts are frail within NGOs. Other than umbrella organizations, few NGOs engage in membership development or recruitment.

FINANCIAL VIABILITY: 5.8

Fund diversification is limited. Liberian NGOs receive most of their funding from foreign donors. Many donors do not trust that local NGOs have the capacity and ability to deliver goods and services; therefore, most local NGOs do not deal with donors directly but rather work through international NGOs as implementing partners.

NGOs lack the ability to raise significant funding from within Liberia. The local population is accustomed to receiving support from donors, not being asked for contributions. A few NGOs have initiated cost recovery programs. For instance, a number of NGOs operate Internet cafes that are supported by user fees.

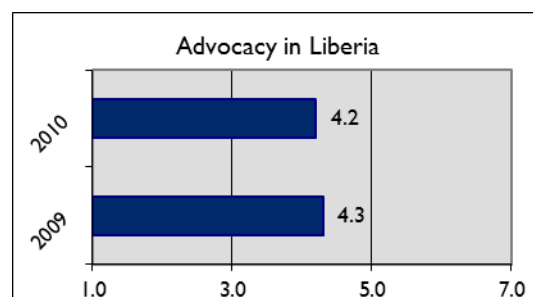


The government does not provide grants to NGOs, although there have been a few instances of government agencies, including the National Elections Commission, contracting with NGOs to execute specific tasks that fall within their area of expertise. Multinational companies engaged in the extractive industries are another emerging source of funding, earmarking funds for development activities in host communities. The Liberian

diaspora provides in-kind donations, like books and medical supplies, to NGOs. While useful, these donations are irregular.

Local organizations lack sound financial management systems. NGOs only care about transparency to meet donor requirements; accountability to the public is not a concern, in part because it is not demanded.

ADVOCACY: 4.2



Cooperation between the public sector and local NGOs improved somewhat over the past year. Communication between line ministries and NGOs remained open, particularly at the Ministries of Planning, Health, and Internal Affairs, which all have NGO coordination units. NGOs have played a key role in the formulation of the Rape Law, which has criminalized an offense that has been on the rise throughout the country since its passage in 2006. In 2010, NGOs, female lawyers, and other civil society groups petitioned the president, law enforcement authorities, and

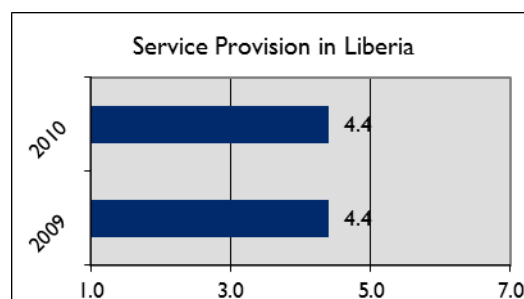
key legislators to fast track the prosecution of offenders and increase the penalty for rape. In addition, NGO advocacy led to the establishment of a unit at the Ministry of Justice to prosecute sexual and gender-based crimes.

At the local level, two networks of NGOs – SinoeNet and LofaNet – were established to work with authorities in Sinoe and Lofa Counties to help strengthen communities' response to national recovery efforts. The networks organized partnership meetings with county authorities and developed action plans. The New African Research and Development Agency (NARDA) continued to establish and train County and District Development Committees during 2010.

NGOs also created issue-based coalitions to conduct broad-based advocacy campaigns. The 'Peace Comes From Within: Networking and Advocacy' initiative brought together thirty-three civil society organizations and the Inter-religious Council of Liberia to deliberate on peace work, exchange ideas and experiences, and evaluate previous network activities. Towards the end of 2010, a group of NGOs led by Talking Drum formed the Liberia Media Center to serve as an independent and non-partisan election monitoring group.

SERVICE PROVISION: 4.4

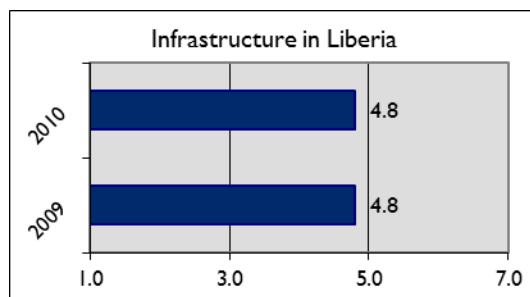
NGOs provide a range of services in fields such as agriculture, health, water and sanitation, capacity building, and humanitarian relief. Increasingly, local organizations can also be found working in areas such as governance, peace building, economic empowerment, and environmental protection. While providing valuable services, most projects are donor-driven. NGOs need to do more to involve communities in the process of identifying and addressing their needs. International NGOs account for an increasing share of the services delivered by the sector, although local NGOs remain a significant player in the field.



Few NGOs are engaged in cost-recovery programs. In addition to NGOs operating Internet cafes, NGOs in the health sector recoup minimal fees for their services.

The government does not always recognize the value of involving NGOs in service provision, and most ministries still do not engage NGOs in service delivery. In some cases, politics gets in the way of productive partnerships. For example, a rift in relations between Phebe Hospital and the Bong County legislative caucus resulted in the loss of a government subsidy to a valuable local institution.

INFRASTRUCTURE: 4.8



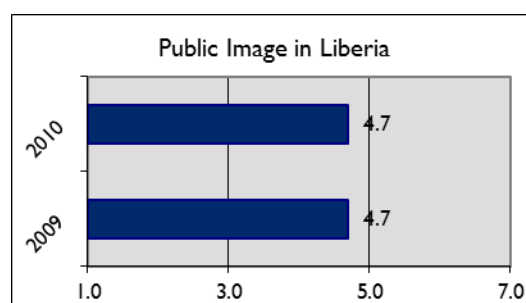
The infrastructure for Liberian NGOs has not changed over the past year. There are still no resource centers exclusively focused on providing NGOs with information or services. A few libraries, including those at USIS and some universities, provide some general information to NGOs. Meanwhile, NARDA and the Planned Parenthood Association of Liberia (PPAL) have established reading rooms for their member organizations. During the year, We Care, a local NGO, launched a community library program in Monrovia with plans to expand to rural communities.

Umbrella groups occasionally arrange training on various topics for their member organizations. For example, at the beginning of the year, members of NARDA's National Secretariat organized financial management training to deepen members' understanding of budgeting processes and a planning meeting with network members and local authorities in Lofa County. Some consulting firms provide training activities to NGOs, often with donor funding. Training is increasingly being organized outside of Monrovia to benefit organizations based in the counties.

Networking among NGOs is evolving. The Message Steering Group coordinates international NGOs. Two umbrella organizations - NARDA and the Liberia NGO Network (LINNK) - coordinate the work of local NGOs; however, these organizations remain weak as member organizations lack the ability or commitment to pay dues regularly. NARDA also reports a reduction in active membership. NGOs also share information with each other through newsletters, emails, and letters.

PUBLIC IMAGE: 4.7

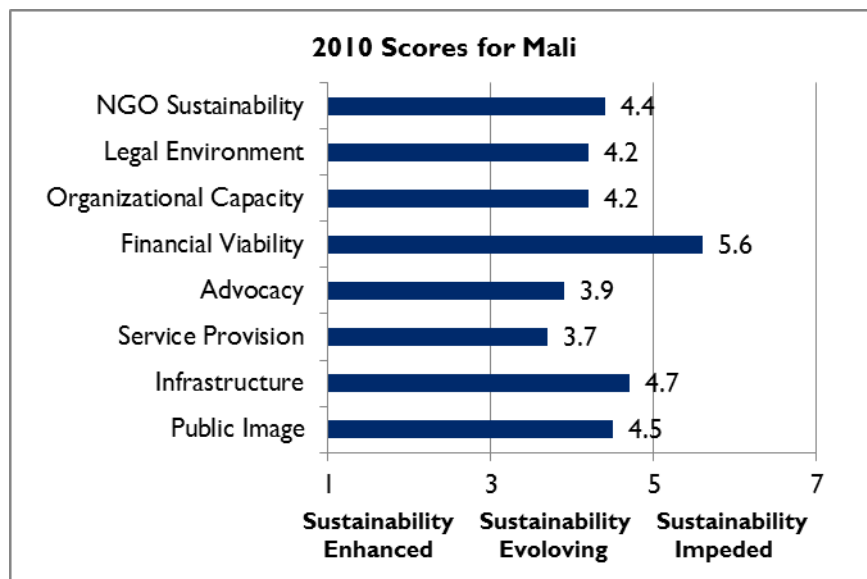
Media does not recognize the NGO sector's role in society: no distinction is made between NGOs and businesses and no media outlets have a dedicated section on NGOs. NGOs pay for coverage of their activities or events, just as businesses do. The rapid emergence of community radio stations, however, has strengthened media coverage of the sector. NGOs rarely engage in structured public relations efforts. Many NGOs believe that the results of their work will become known over time without any additional effort on their part.



The public has mixed perceptions of NGOs. While some appreciate NGOs for playing a role in solving community problems, others view NGO workers, particularly international humanitarian workers, as show-offs in white SUVs.

NGOs have not made any significant progress in self-regulating or promoting transparency. They do not regularly publish annual reports or undergo financial audits. More importantly, NGOs still do not have a code of ethics, despite efforts to develop one a few years ago.

MALI



Capital: Bamako

Government Type:
Republic

Population:
14,159,904 (July 2011 est.)

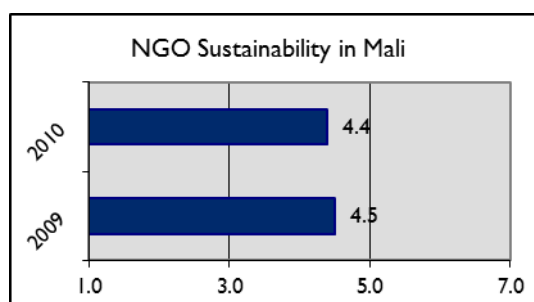
GDP per capita (PPP):
\$1,200 (2010 est.)

Human Development Index: 175 (2011)

NGO SUSTAINABILITY: 4.4

Mali has a decentralized democratic system that formally recognizes the role of civil society. According to the Local Development Support Unit (CADB), which tracks NGOs, Mali was home to 1,146 NGOs in 2010, an increase of approximately twenty since 2009; 464 of these submitted their annual reports. According to these reports, the total value of services and products provided by NGOs in 2010 was 111,332,696,542 CFA (approximately \$227 million), an increase from CFA 87,882,508,210 (approximately \$175 million) in 2009.

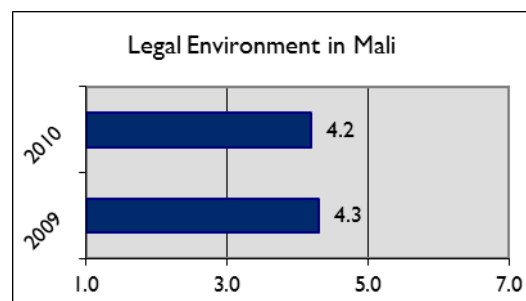
Despite a full recognition of their role and freedom to operate, Malian NGOs face a number of constraints that impede their contribution to the development process. NGOs are dependent on foreign funds, both bilateral and multilateral, and are institutionally weak. There is an absence of synergy among NGOs, making it difficult for them to speak in a single voice in order to influence public policies. Finally, collaboration with government is weak and ineffective. However, the public has a generally good opinion of NGOs, and the law recognizes all NGO work as public services.



2010 was a relatively productive year for Malian NGOs. The CSO Forum, consisting of NGOs, government, and technical and financial partners (PTF), was formed to discuss issues relevant to civil society on a national level. For five years, the government has promised to review the law governing NGOs, as well as the framework agreement with NGOs, in order to decentralize the distribution of funds to NGOs. This revision was finally passed in 2010.

LEGAL ENVIRONMENT: 4.2

NGOs are largely governed by Law Nr 04-038 of 2004. After three years of operation, Malian NGOs sign a framework agreement with the government which allows them to access public funds. There is no legal basis to establish foundations in Mali, an issue the government has been working to address for some time. After years of NGO advocacy, the government finally amended the NGO law in 2010. The amendment decentralizes the distribution of government funds to NGOs in line with the principles enshrined in Mali's constitution.



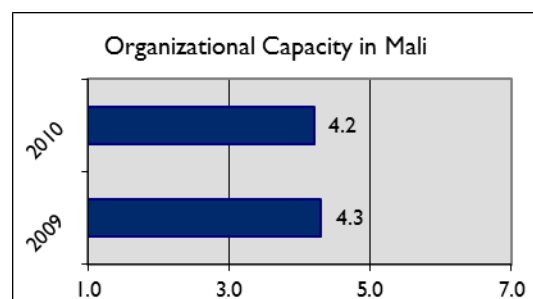
NGO registration is relatively easy. Registration was decentralized four years ago, and is now processed by the regional governors or prefects instead of the Ministry of Administration. However, in part because of the high illiteracy rate in the country, grassroots NGOs lack knowledge of the law and face problems accessing information, which can complicate their efforts to register.

The government does not harass NGOs nor hinder their participation in policy and strategy development. NGOs regularly express their opinions to the government, ministries, and National Assembly, and are often invited by the government to participate in the implementation of development strategies. Despite such openness and collaboration, NGOs' concerns are not routinely integrated in final decision-making processes.

Certain types of NGOs, including those that have signed framework agreements with the government, receive tax exemptions on donations, grants, and the import of certain items.

There are no recognized lawyers or experts in Mali on civil society issues.

ORGANIZATIONAL CAPACITY: 4.2



NGOs specify organizational goals and activities in their statutes, and professional NGOs and coalitions develop strategic plans. However, NGOs often stray from their stated objectives in order to access funding.

Most NGOs in Mali have bylaws and internal regulations that clearly define their management structures and specify roles and responsibilities. NGOs increasingly organize statutory meetings, and submit required reports and technical and financial statements. Professional NGOs increasingly

develop internal administrative and financial management manuals.

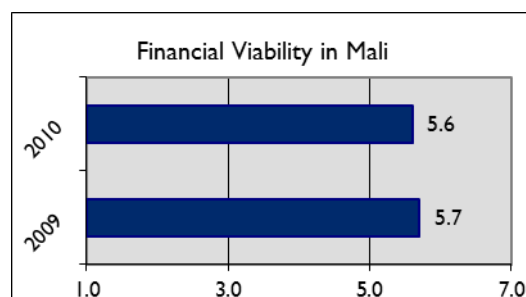
Many NGOs, however, do not effectively implement organizational policies, resulting in a lack of democracy and transparency as well as confusion over roles and responsibilities. An NGO's founder or leader is often considered president for life, which undermines efforts to promote democratic governance, accountability, and information sharing. For this reason, transparent management is more common among coalitions, networks, and umbrella organizations than among NGOs. In some cases, transparency is encouraged by PTFs' contractual requirements.

NGOs generally employ permanent staff, and contract other full or part-time technical experts to work on specific projects. Some NGO leaders employ relatives without concern for their skills or qualifications. In 2010, the Agency for the Employment of Youth (APEF) placed 2,000 youth volunteers in NGOs. Some retirees also offer their services to NGOs on a volunteer basis.

Three-quarters of NGOs lack resources to acquire technological equipment. Umbrella organizations and professional NGOs have basic equipment including computers, copy machines, telephones, and Internet access. NGOs located further from urban centers have less access to technology, although Internet is generally available.

FINANCIAL VIABILITY: 5.6

Malian NGOs have access to multiple funding sources, including government, regional development funds, community contributions, philanthropic resources, business contributions, individual donations, and bilateral and multilateral cooperation agencies. Despite the diversity of support available, the sector depends largely on foreign funds, and financial sustainability remains fragile. Most funding is focused on specific activities; organizational support that covers ongoing management and administrative expenses is harder to come by.



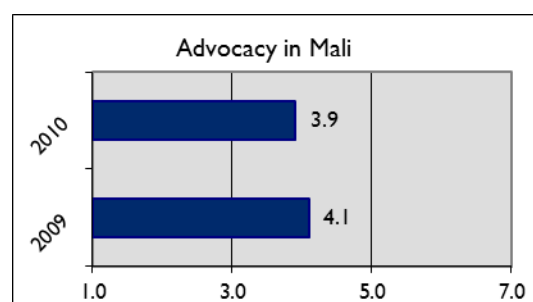
Overall funding for NGOs decreased in 2010. Donors are increasingly giving funds directly to the government, which is then supposed to transfer money to NGOs. However, in many cases, laws are not in place to allow NGOs to access these funds. In addition, many funders have stopped initiating projects in Northern Mali. The ongoing rebellion in this region makes field visits difficult, thereby deterring funders that want to distribute and track grants themselves.

A significant new support program for NGOs started in 2010. The Support Program for CSOs (PAOSC) will build the institutional and organizational capacities of Mali's CSOs in order to improve the development programs and policies of the government. Total funding for this three-year initiative, which comes from a donor consortium including Canada, the Netherlands, France, the European Union, Denmark, and USAID, is approximately one billion CFA Francs (approximately \$2 million).

NGOs lack the knowledge and communication skills needed to mobilize resources. NGOs also need to do more to promote NGO membership and corporate sponsorship.

Despite the increasing use of financial management systems by professional NGOs, the lack of financial transparency in the sector as a whole remains a concern and hinders donations by members, sponsors, and businesses alike.

ADVOCACY: 3.9



NGOs have organized many networks and coalitions to conduct advocacy initiatives, including the National Framework for Paralegal Training, Aoudaghost Network, Publish What You Pay, the Advocacy and Lobbying (RPL) Network, and the Advocacy Committee for Women's Organizations. NGO advocacy and lobbying initiatives target various institutions, including the government, ministries, National Assembly, and PTFs. In 2010, for example, NGOs engaged actively in debates on the review of the NGO law and participated in the development of economic policies.

In 2010, the Development Cooperation Forum, led by the UN and uniting all development players in Mali, partnered with women's organizations and coalitions to promote the National Family Code, which seeks to

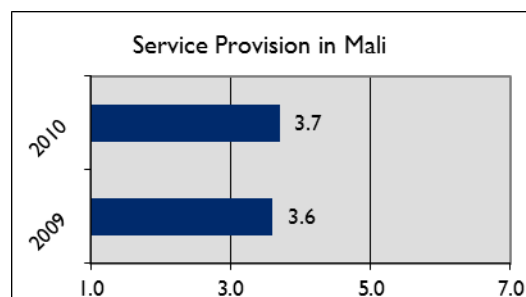
increase women's rights in the country. While the advocacy efforts of this group helped to get the code included on the National Assembly's agenda, it was later withdrawn by the government for improvement. NGOs also regularly meet with the government to discuss various matters. For example, the RPL convened a meeting between government representatives, nine coalitions, and elected local authorities to assess government/NGO collaboration. Similar actions were also organized at the community level. The newly initiated PAOSC program will support advocacy for good governance and transparency in the management of official development assistance.

Malian NGOs benefit from legal provisions that require the government to consult with or include them in policy formulation. The government also regularly informally asks NGOs to collaborate. NGOs participate in two annual meetings with government counterparts to discuss common concerns, including draft laws and decrees, the implementation of various policies, and ways to work together more efficiently. The annual Civil Society Forum brings together NGOs, PTFs, and governmental departments, while an annual consultation meeting is also held between the government and NGOs that sign framework agreements.

NGO advocacy efforts are hindered by persistent nepotism in the selection of representatives to serve on various committees and working groups, the quality of NGOs' contributions in such forums, and the fact that the government does not adequately take NGO concerns into account in its decision making. NGOs also suffer from low capacity in policy analysis and lack a thorough understanding of appropriate advocacy strategies. In addition, NGOs often present inconsistent arguments on issues such as anti-corruption, budget processes, transparency, tourism, and trade.

SERVICE PROVISION: 3.7

NGOs provide a range of products and services, including humanitarian and basic social services in health, education, water, and sanitation, and food security. In addition, NGOs provide support to local actors in the economy, environment, and governance, and services in conflict management, peace and security, human rights, and gender. NGOs are becoming increasingly active in micro-finance. The government recognizes the public utility of the basic social services provided by civil society and directly funds NGOs' participation in government projects and programs.



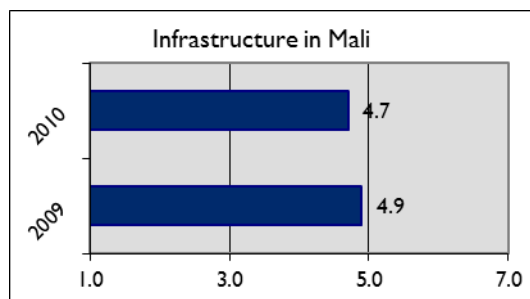
The quality of NGO services is acceptable, but the quantity of services has decreased over the past three years as donors have started providing direct budgetary support to the government, which has not been transferred to NGOs. In addition, NGOs often stop providing services when disbursements from funders are delayed or when a project ends.

NGOs face several constraints in service provision. NGO interventions are concentrated on those areas that donors are most interested in funding. NGOs lack expertise in procurement procedures and government officials do not educate NGOs on how to bid on solicitations. Finally, NGOs fail to publicize information about their results and products.

At the same time, NGOs receive inadequate information from the government regarding the availability of funds in departmental budgets. Weak participation by NGOs, especially women's organizations, in the budgetary process also impacts their ability to access government funds.

NGOs do not recover any of the costs of providing goods and services by charging fees. Instead, they rely on their funders, be it the state, local government, or foreign donor, to cover their expenses.

INFRASTRUCTURE: 4.7



Mali has a multitude of coordination offices, coalitions, networks, federations, and forums that promote communication and information sharing among NGOs and provide access to equipment. All coalitions and major NGOs have meeting rooms dedicated to training sessions or other group activities. In 2010, NGOs began to coordinate on a regional basis via Internet, although slow and unreliable Internet connections still delay information dissemination.

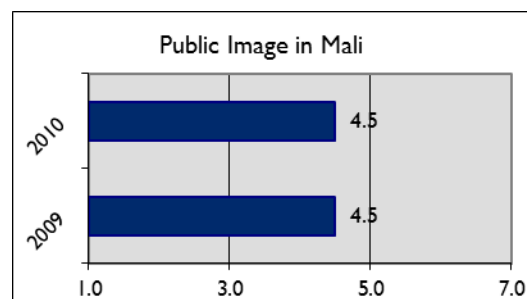
NGOs collaborate and form partnerships with local businesses, government, and media. NGOs have access to a plethora of capacity building support from government structures and projects, international NGOs, for-profit companies, coalitions, NGOs, research institutes, and training schools.

Local foundations, international NGOs, humanitarian agencies, and some intermediary support organizations (ISOs) award grants to NGOs for activities such as basic social services, humanitarian aid, disaster response, and capacity building. The Djoliba Center, with branches in all regions of Mali except the three northern regions, serves as a decentralized resource and training center for CSOs.

PUBLIC IMAGE: 4.5

Although the public has a generally positive view of the NGO sector, people are unwilling to become more involved in the sector's work and often question NGOs' capacity to deliver concrete goods and services in areas such as water, education, and health.

NGOs increasingly promote the visibility of their activities and achievements, but often fail to promote their organizational image and strategy. Media reports on NGO activities, including the launch or completion of projects, training or consulting workshops, press conferences, information/awareness campaigns, and some advocacy/lobbying activities. However, NGOs must pay for all media coverage just as businesses do.

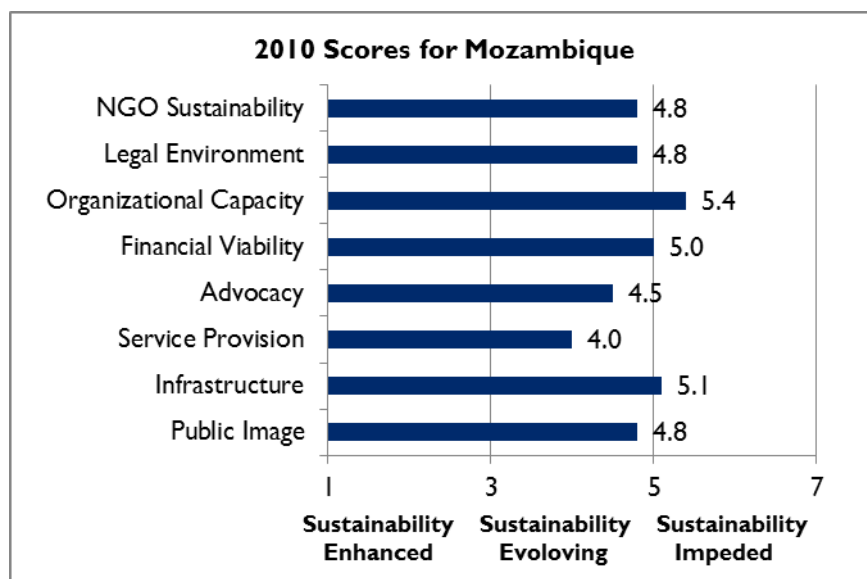


Official speeches by government representatives are generally favorable to NGOs. Government representatives appreciate NGOs' outreach and support to populations and their contribution to the implementation of government policies, strategies, and programs. However, some government officials are critical of NGOs' use of public resources.

Businesses have varying perceptions of NGOs. For example, industries and manufacturing companies are largely unaware of NGOs. Some firms and service providers consider NGOs as unfair competition because they do not pay the same taxes.

There is no national code of ethics for NGOs, although individual NGOs practice self-regulation through their bylaws, internal regulations, and manuals. In addition, some coalitions, including the associations that have signed framework agreements, have developed codes of ethics. Some coalitions, such as Action-Mopti and REDL, publish and distribute annual reports and newsletters.

MOZAMBIQUE



Capital: Maputo

Government Type:
Republic

Population:
22,948,858 (July 2011 est.)

GDP per capita (PPP):
\$1,000 (2010 est.)

Human Development Index: 184 (2011)

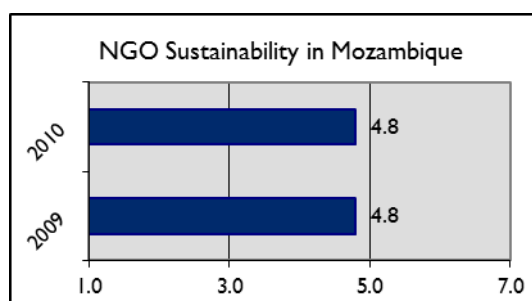
NGO SUSTAINABILITY 4.8

Compared to many African countries, the NGO sector in Mozambique is relatively young. A 2003/4 study carried out by the Mozambican National Institute for Statistics found 4,853 nonprofit institutions active in Mozambique, including associations, foundations, and national and international NGOs. Although there has not been any official update of these numbers, it is estimated that there were over 5,000 nonprofit institutions by the end of 2010.

The sector's public image improved slightly in 2010 as organizations made better use of the media to disseminate information about their work. For example, the Institute of Social and Economic Studies (IESE) received widespread coverage of its book about the challenges facing the country, while the Center for Public Integrity (CIP) benefited from significant media interest in its research and publications on the lack of transparency of the Extractive Industries Transparency Initiative (EITI) in Mozambique. At the



same time, government and donors alike began to give more weight to NGO opinions.



While the legal environment under which NGOs operate has not changed, district governments have accelerated the registration process for local NGOs to allow them to access the District Development Fund (DDF). The DDF was established by the government to accelerate development of the districts by financing food production and employment generation projects. Organizations must complete their registration process at the district level in order to apply for

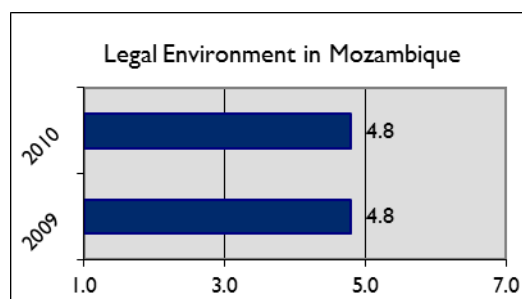
DDF funds.

NGO participation in decision-making processes at the local, provincial and national levels continues to be largely consultative. Furthermore, NGOs involved in these forums are often effectively controlled by political powers. Although access to technology, such as mobile phones and computers, is continually improving, NGOs still do not use them effectively.

LEGAL ENVIRONMENT: 4.8

NGOs in Mozambique are established and operate under the Law on Associations (Law 8/91). NGO registration continues to be very time consuming and expensive, particularly for associations located in remote rural areas as the registration process must be completed in regional capitals. In addition, as part of the registration process, NGOs need to submit criminal records, which can only be obtained in Maputo.

Registration officials systematically ignore deadlines for approving NGO registration. Even when there are no problems with the documents, it can take up to two years for the government to acknowledge an NGO's registration. While there have not been any official changes in the registration process, over the past few years local governments have expedited the registration process for some associations, particularly farmers' and small animal breeders' associations, largely to make them eligible for the DDF.



In general, NGOs are able to operate freely within the law and can promote public debates and openly criticize the government. Decree 11/2005 states that local state bodies have a duty to consult with local associations in any decision-making process that affects them so they can defend their interests.

Although the number of lawyers in the capital is growing, none specialize in NGO legal issues. The lack of legal support is even more acute at the provincial and districts levels where there are very few lawyers in general.

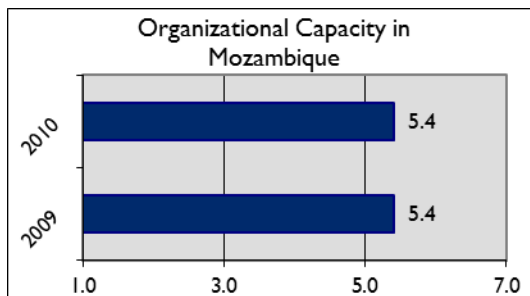
NGOs that pursue national and community interests and cooperate with the national or local governments in service delivery, based on written agreements or contracts, can obtain public utility status. However, since NGOs do not generally enter into formal relationships with the government, very few NGOs – currently estimated at less than five percent – have acquired this status. NGOs with public utility status benefit from limited tax exemptions.

Mozambique has no legislation addressing the rights of NGOs to engage in income generating activities. As a result, very few NGOs charge for their services or sell items produced by their members. While NGOs are able to compete for government contracts, they rarely take advantage of this opportunity.

ORGANIZATIONAL CAPACITY: 5.4

Community organizations, commercial and professional associations, and unions tend to have strong links with their target groups. Other types of organizations generally have weaker links with their constituents, in part because they are often created in response to donors' calls for funding rather than locally identified needs.

The only organizations with strategic plans tend to be well-established NGOs, which are generally based in the capital. However, this is beginning to change as a result of the recently established Program of Action for a Responsible and Inclusive Governance (AGIR), which is funded by Sida. AGIR requires NGOs to have strategic plans to obtain funding; the program also supports NGOs in developing strategic plans.



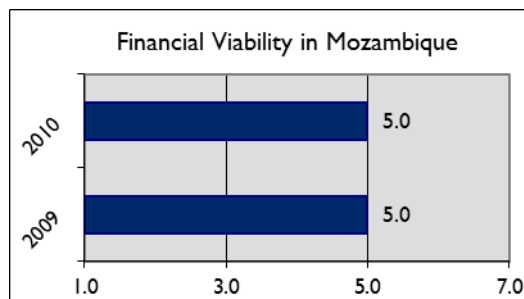
Larger NGOs may have adequate human resource practices, including contracts and job descriptions. Smaller organizations continue to have weak managerial structures and inadequate division of responsibilities between their boards of directors and staff members. A lack of funding makes it difficult for smaller NGOs to maintain professional staff. As a result, a coordinator frequently assumes all responsibility for an NGO with the support of the president. The board, especially the financial committee, is generally inactive.

The majority (75%) of active NGO members are volunteers. Paid employees tend to earn very low salaries and have no guarantee of long-term employment due to the lack of long-term funding. Qualified local staff members are often hired away by international and private sector institutions that can offer higher salaries and more job security.

Technical advancement and access to office equipment varies depending on the size and location of an NGO. Larger organizations with regular long-term financial support are able to acquire and update IT equipment. At the provincial level, NGOs generally have access to computers and fax machines, albeit second hand, while NGOs at the local level may not even have typewriters and may have only limited access to fixed telephones or fax machines. Such organizations rely on cell phones for the majority of their communications.

FINANCIAL VIABILITY: 5.0

Foreign donors account for well over 70% of NGOs' income. Local philanthropy, including support from local businesses and wealthy individuals, is still largely undeveloped. The majority of NGOs do not have diversified funding sources or sufficient resources to remain viable beyond the short-term. Most organizations survive on one or two projects at a time. Many community-based organizations depend on volunteers who may receive a small stipend in order to ensure their continuing participation.



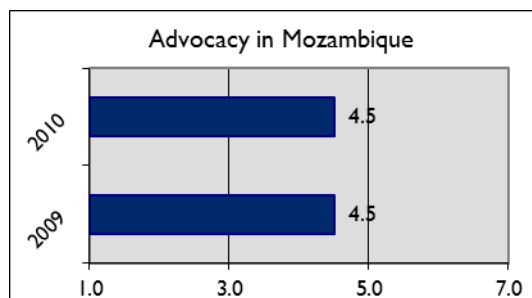
NGOs continue to be more accountable to their donors than to their own constituents. Only NGOs with donor support are able to carry out independent financial audits. NGOs only develop financial management systems to meet donor demands and requirements.

Most organizations lack strong contacts with their constituents, beneficiaries, or members. NGOs rarely generate funds from their own members, either in the form of dues or donations.

While NGOs can apply to the DDF for funding, much of this funding goes to associations that have been created by individuals with ties to political parties at the expense of well-established NGOs.

ADVOCACY: 4.5

NGOs engaged in several advocacy campaigns in 2010. For example, a group of four NGOs continued to monitor local governance in six districts and three municipalities, while CIP tracked public expenses in fifteen districts of Mozambique. In October 2010, Justiça Ambiental (JA) filed a complaint on behalf of a coalition of organizations with the government, parliament, and United Kingdom National Contact Point (UK NCP) about a multinational company's plans to bypass the fume and gas treatment centers of its aluminum smelter



for six months. MS Mozambique, a Danish organization, cooperated with fourteen national partners to implement a campaign in the southern region of Mozambique to monitor the distribution of and increase access to free school books distributed by the government to public primary schools. The campaign consisted of plays, debates, and data collection on the distribution process in schools. At the local level, farmers' associations have been significantly involved in the fight against land encroachment and in defense of other land rights, including the need for reforestation in

farming areas.

Mechanisms exist for NGOs to participate in the various levels of government decision making; however, mechanisms tend to be consultative and not deliberative. As a result, recommendations coming out of these processes have little or no impact. Local governments manipulate the selection of civil society representatives for consultative councils at the district and community levels, also limiting their impact. Civil society representatives, along with government officials at the local level, lack the technical capacity, independence, and credibility to perform a key role in local governance.

Lobbying activities are concentrated in Maputo with limited consultations taking place at the district and local levels. As a result, lobbying activities do not always represent or meet the needs of the rural population. NGOs have had some success lobbying at the national level. For example, NGOs including Woman and Law in Southern Africa (WLSA), Forum Mulher (The Women's Forum), the Association of Women, Law and Development (MULEIDE), and the Mozambican Association of Women in Legal Careers (AMMCJ) contributed to the formulation and promulgation of the new law on domestic violence.

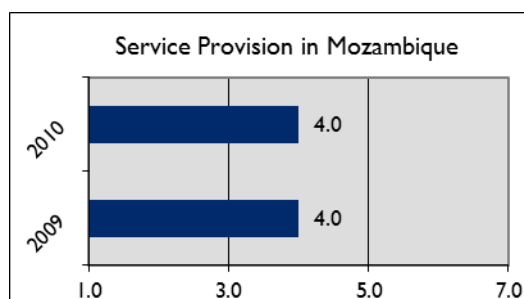
Recent donor programs, including the Civil Society Support Mechanism (MASC) and AGIR, focus on supporting organizations in the areas of governance, advocacy, and monitoring. Although progress is being made, the government is still apprehensive when it comes to NGOs monitoring the quality and quantity of basic services and NGOs often face difficulty in accessing government plans and budgets.

The Foundation for Community Development (FDC) and the Center for Civil Society Learning and Capacity Building (CESC) are heading up a group of local NGOs that is discussing tax exemptions for NGOs and possible changes to the association law, but they have not yet proposed any concrete recommendations.

SERVICE PROVISION: 4.0

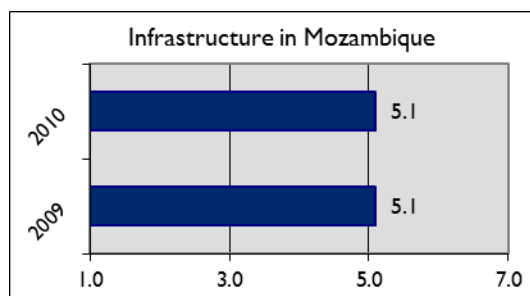
A study conducted by the National Institute of Statistics (INE) in 2004 and 2005 indicates that services rendered by NGOs are concentrated in the areas with the most foreign funding, namely health, education, and development. NGO services frequently fall outside of their stated missions and often do not reflect the needs and priorities of communities.

A majority of NGOs concentrate their services in local communities (42.4%) or districts (33.5%), whereas only 5.7% operate nationwide. All NGOs that operate nationwide are based in Maputo. Even organizations with national reach lack the resources to disseminate their products widely. Although organizations such as IESE, CIP, and FDC post publications on their respective websites, NGOs in remote districts and localities of the country are unable to access them due to limited Internet access.



NGOs lack knowledge of the market demand for their products and rarely recover any of their costs by charging fees.

INFRASTRUCTURE: 5.1



Despite the increasing number of NGOs in Mozambique, the country still lacks sufficient intermediary support organizations (ISOs) and resource centers. According to a national survey of NGOs carried out in 2007, 58% of respondents considered support infrastructure to be very limited, 20% said there was no infrastructure at all, and only five percent considered the organizational infrastructure to be well developed. While the situation remains largely the same, some intermediary organizations have appeared recently. For example, in 2010, FDC began offering training

and capacity building to the Budget Monitoring Forum and re-granting international donors funds in order to respond to locally identified needs. The Community Information and Communication Support Center (CAICC) and the Forum of Community Radio Stations (FORCOM) have increased their technical assistance and support to telecenters and community radio stations nationwide.

MASC, funded by the British Department for International Development (DfID) and Irish AID, has offered financial and technical support for NGO monitoring, advocacy, organizational capacity, and internal governance since 2008; the program hit full stride in 2010, both in terms of the number of grants and the effects of its capacity building. In 2010, CESC supported the creation of indigenous organizations at the district level, working to build their capacities to participate in development programs and monitor school budgets.

More than fifty thematic and geographic NGO networks facilitate coordination, share information, and provide technical support to their members. Examples include Rede de Criança (a network of NGOs working with children), the Mozambican Network of AIDS Services Organizations (MONASO), the Women's Forum, and the Farmers' Union (UNAC). Over the past few years, it has become apparent that many such forums lack the internal capacity and financial stability needed to achieve greater impact. For example, G20 was created to represent civil society in the annual poverty observatory and other joint reviews where government, donors, and civil society come together to discuss development issues and monitor progress. In 2010, G20 faced organizational problems that left it largely non-functional and at risk of losing future funding.

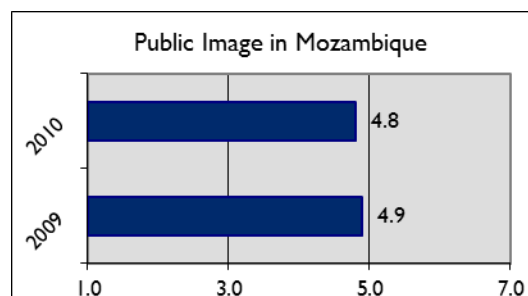
One of the greatest challenges faced by NGOs in Mozambique is the lack of nationwide courses and trainers on issues such as strategic management, accounting, financial management, fund raising, internal governance, and leadership.

Intersectoral partnerships are still rare, although NGOs collaborate with the government on national campaigns against HIV/AIDS, the rights and protection of vulnerable women and children, and universal education. Such campaigns also include work with the newspapers, TV, and radio.

PUBLIC IMAGE: 4.8

In general, the media, especially independent media, portrays NGOs in a positive light. A select group of NGOs, including FDC, IESE, CIP, and CESC, appear regularly in the media and have developed very positive public images. For example, in 2010, the launch of IESE's book on the country's future challenges received significant coverage. CIP also benefited from positive media coverage related to its opinions on the extractive industry, public integrity, and corruption in Mozambique.

Most organizations based in the provinces and districts have only recently begun to get some media coverage, in part because donors have begun to pressure NGOs to disseminate information about their work in the media, principally on the radio. Despite limited media coverage, public perception of NGOs at the district and local levels is positive, as these NGOs are seen as trying to find solutions to local communities' basic needs in health, education, and water and sanitation.



In comparison, the government – be it at the central or local levels – does not always have a positive perception of NGOs. The government views NGOs as competitors for donor funding and links NGOs, especially those working in the delicate areas of monitoring and advocacy on the quality of public services and the fight against corruption, to the political opposition.

The private sector also has a generally negative perception of NGOs. Businesses see NGOs as unprofessional institutions getting “free” funding, while they have to pay high interest rates on bank loans.

There is no code of ethics to encourage transparency in NGO operations, although CESC started working on a code of ethics in 2010. Larger NGOs produce annual reports, primarily for the benefit of their donors and members. NGOs lack funds to publish information in newspapers or disseminate reports more broadly.

NIGERIA



Capital: Abuja

Government Type:
Federal Republic

Population:
155,215,573 (July 2011 est.)

GDP per capita (PPP):
\$2,500 (2010 est.)

Human Development Index: 156 (2011)

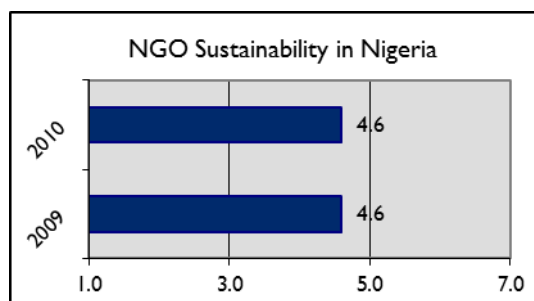
NGO SUSTAINABILITY: 4.6

Nigeria is the most populous country in Africa. With over 152 million people, Nigeria's population encompasses over 250 ethnic groups speaking 320 dialects. After gaining independence in 1960, Nigeria was ruled by a series of military regimes until 1999, when it transitioned to a democratic form of government. Nigeria has abundant oil reserves and has registered strong economic growth in recent years, including a 5.5% increase in real GDP in 2010. However, due to corruption and mismanagement in the public sector, over half of the population still lives below the poverty line.

Nigerian NGOs have the option of registering at the local, state or national level, making it difficult to establish the actual number of NGOs registered in the country. According to the Corporate Affairs Commission (CAC), 8,005 new NGOs were registered at the national level in 2010, bringing the total to over 54,000.



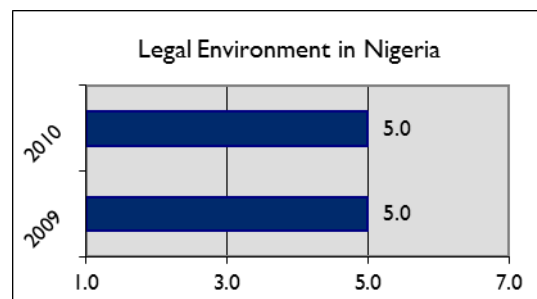
The legal environment is favorable for NGOs and registration has become easier in recent years. NGOs are characterized by poor internal management structures and financial instability. Few local sources of philanthropy exist.



The government recognizes the value of NGOs in service provision, although NGOs' products and services do not always reflect the needs of their communities. NGO infrastructure in Nigeria remains weak. However, NGO advocacy campaigns have successfully influenced legislation, which has created a generally positive public image of the sector.

LEGAL ENVIRONMENT: 5.0

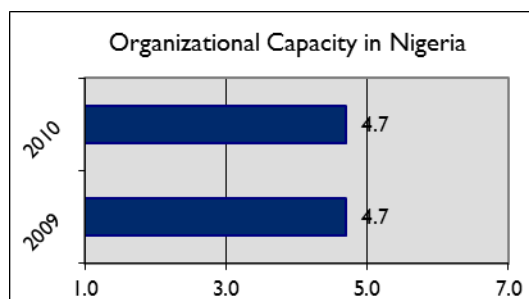
The legal environment in Nigeria is generally favorable for NGO operations. Nigerian NGOs are not regulated by a separate NGO law; NGOs register and operate in accordance with the Companies and Allied Matters Act (CAMA) of 1990. Registration for NGOs in Nigeria has become easier recently as the CAC's capacity has increased. In particular, name searches and other background checks are now completed faster. Registration at the state and local levels continues to be hampered by lengthy background checks and the high cost of engaging the services of a lawyer to assist in the process. The capacity of local and state registration officials remains low.



NGOs can only be dissolved by a court decision upon petition by the NGOs' board, a majority of the NGO's members, or the CAC. The state cannot dissolve NGOs for political reasons and NGOs are not targets of harassment by the government or political parties.. However, while NGOs are exempt from all taxation, tax officials sometimes wrongly demand taxes from them. For example, for-profit companies are legally required to pay taxes when they display the names and logos of their companies on their official cars or place signs on their buildings. Uneducated tax collectors have demanded these taxes from many NGOs, including the Centre for Research and Documentation (CRD), Kano, even though CAMA clearly states that NGOs are exempt from all taxes including this one. No measures have been taken to stop this practice.

NGOs are free to address matters of public debate and express criticism. Legal advice for NGOs is available to those that can afford it; however, no local lawyers specialize in NGO legal issues. NGOs are allowed to earn income from the provision of goods and services. They are eligible to compete for government contracts, although they rarely meet the tenders' requirements. In addition, personal contacts are still paramount in securing government contracts in Nigeria.

ORGANIZATIONAL CAPACITY: 4.7



Larger NGOs in major cities typically have strategic plans and have successfully developed constituencies around issues such as gender, youth, and good governance. On the other hand, many NGOs operating at the local level lack strategic focus, and are more likely to develop activities in accordance with the availability of donor funds. This prevents them from developing stable constituencies and working toward the organization's founding vision and mission.

The boards of directors of many NGOs, especially those at the state and local levels, do not operate in an open and transparent manner. While some NGOs have formal internal management structures, many NGOs only name board members to meet registration requirements. Some NGOs fail to replace board members at the end of their tenures; there have even been cases in which an individual continues to be listed as a board member after he or she passes away. Most organizations lack a clear division of responsibilities between the board and staff members, which can result in internal conflicts. Accounts are generally only audited when required by funders.

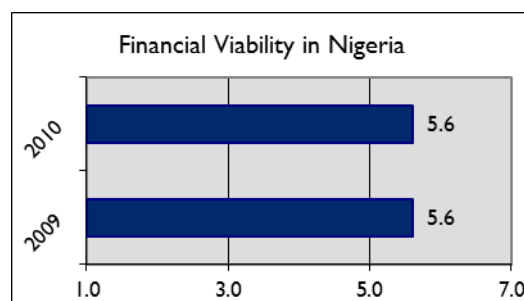
Many small NGOs are unable to maintain permanent paid staff as a result of insufficient resources, instead relying on volunteers and National Youth Service Corps (NYSC) members to carry out their operations. Larger NGOs in major cities like Abuja and Lagos are more likely to employ permanent paid staff and have adequate human resource practices. Investment in staff capacity development is limited. Many NGOs only

make use of professionals such as accountants when required. For example, in order to bid for contracts under the procurement law, NGOs must have audited accounts for the last three years. Many NGOs do not require the services of IT managers and very few can afford the services of lawyers.

Only large NGOs provide their staff with regular access to the Internet, cell phones and computers; in smaller organizations, the chief executive may be the only individual with access to a computer and other office equipment. Staff members use their personal phones and computers for NGO operations.

FINANCIAL VIABILITY: 5.6

A majority of the funding for Nigerian NGOs comes from foreign sources. NGOs have not been able to attract significant support from their communities and constituencies. There are local sources of philanthropy in Nigeria, including the Tony Elumelu Foundation and the T.Y. Danjuma Foundation, but few local NGOs have been able to access these sources because they lack capacity, including proposal development skills. Oil companies provide support to a few NGOs based in Nigeria's oil producing states. NGOs also benefit from other corporate support to a limited extent. Many local NGOs are unable to secure financial resources to remain viable beyond the short-term.

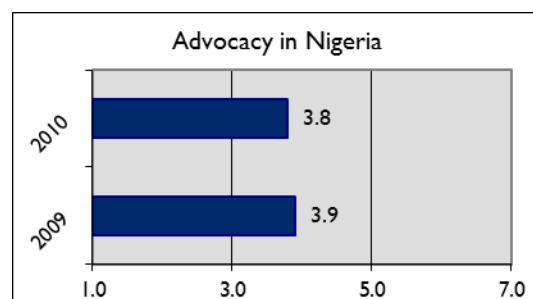


NGOs are expected to submit audited annual financial reports to the CAC. However, many NGOs continue to flout this law, and the CAC does little to enforce it. Those NGOs that do audit their accounts mainly do so to meet donor requirements.

The majority of NGOs in Nigeria do not have income generating assets. Some organizations earn income through the provision of services, including trainings and workshops. The government contracts with some NGOs, mainly at the national level. For example, in 2010, the Federal Ministry of Women's Affairs contracted an NGO to implement a women's political empowerment project across the country. In addition, the Office of the Senior Special Adviser to the President on the Millennium Development Goals (MDGs) works with NGOs to monitor the progress of the country in meeting the MDGs by 2015. Most government contracts, however, benefit NGOs operated by government officials or their associates.

A relatively small percentage, between five and ten percent, of NGOs are membership-based, mainly operating in fields such as human rights, gender, and governance. Membership-based organizations collect dues, although members are often not up-to-date with their financial commitments.

ADVOCACY: 3.8



As a result of Nigeria's turbulent history, NGOs are very active on advocacy issues. Those NGOs that evolved during Nigeria's military regimes have always been very active in policy-related advocacy issues and this momentum has been sustained with the emergence of democracy in the country.

NGO-government relations are generally strong. The Presidency has an advisor on civil society, and the government collaborates with NGOs on a number of policy initiatives. For example, civil society was actively involved in

the process of amending the Electoral Act and certain sections of the constitution in 2010.

NGOs regularly organize issue-based coalitions and conduct broad-based advocacy campaigns. The Transition Monitoring Group (TMG) is a coalition focused on good governance in Nigeria. In early 2010, TMG and other coalitions, including the Alliance for Credible Elections (ACE), successfully pressured the National Assembly and the Federal Cabinet to transfer power to the then Vice President because of the President's ill health. Active NGO advocacy campaigns also led to the passage of a bill on the rights of people living with disabilities in 2010. Civil society organizations such as the Media Rights Agenda continued to pressure the National Assembly to pass the Freedom of Information Bill in 2010. As a result of this sustained advocacy, there were positive signs at the end of the year that the bill would soon be passed.

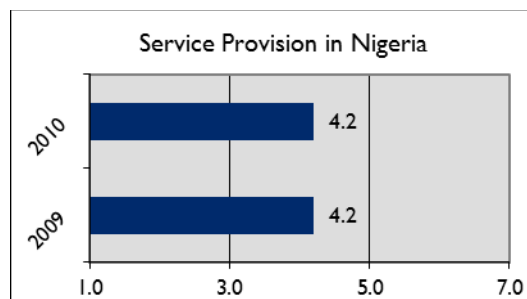
NGOs are sometimes invited by the government to participate in decision-making processes. However, while NGOs may have the opportunity to offer comments, the government ultimately decides whether to accept or reject their input. In spite of some successes, such as the amendments to the Electoral Act and constitution mentioned above, most NGOs have not yet integrated effective advocacy or lobbying tactics into their work. NGOs have recorded few advocacy successes at the state and local levels, as many advocacy-oriented NGOs, especially the more effective ones, concentrate on national issues. 2010 advocacy successes at the state level include a few states that have enacted public procurement laws and a few that have started the process of establishing State Assembly Service Commissions to oversee the civil service.

There are currently no local NGO advocacy efforts to promote legal reforms that will benefit NGOs in Nigeria. NGOs have resisted previous attempts to increase regulation of their activities.

SERVICE PROVISION: 4.2

NGOs in Nigeria offer a wide range of services in areas such as health, education, and environmental protection. At times, NGOs provide goods and services according to donor priorities without regard to community needs.

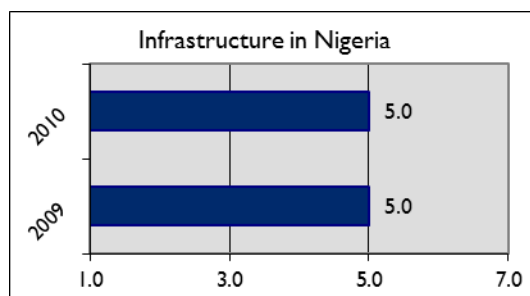
Most NGOs have weak marketing skills and lack adequate knowledge of the demand for their goods and services. Some more developed NGOs are able to identify and develop products for distinct constituencies, but this has not yet become a widespread practice. NGOs rarely charge fees for publications because, in most cases, donors cover the cost of producing and disseminating them to academics, the government and NGOs. Even when NGOs charge for publications, fees are minimal and do not result in any real cost recovery. Training is sometimes provided on a paid basis.



The national government recognizes the benefit of involving NGOs in some of its activities. NGOs worked with the Federal Ministry of Finance to develop a Medium-Term Expenditure Framework for the country. NGOs were also involved in the formulation of the Nigeria Extractive Industries Transparency Initiative (NEITI). The government awards contracts for NGOs to provide certain services; however, contracts are generally only awarded to NGOs with personal connections to the government. Government officials have recently started establishing their own NGOs in order to benefit personally from such contracts, although they do not directly or publicly associate themselves with the NGOs. In addition, many state governors' wives also have NGOs; the president's wife runs an NGO called Women's Initiative for Change.

INFRASTRUCTURE: 5.0

There are a few intermediary support organizations (ISOs) and a number of resource centers which mainly provide capacity building support and access to literature and technology. Most of these resource centers are located in a major city, which makes it difficult for rural NGOs to take full advantage of the services that they



provide. Only a few ISOs engage in local grant making, redistributing money from international NGOs. Such grants have not been targeted adequately to locally identified needs and projects.

Training is offered mostly in areas such as management, strategic planning, and women's empowerment; a limited amount of advanced training is offered in strategic management, fundraising, and other topics. Only the large NGOs in major cities can afford training, although donors

sometimes fund training for small NGOs. Training is mainly conducted in English, with very few training materials available in local languages.

Many NGO coalitions facilitate information sharing among NGOs. Prominent coalitions include TMG, the Joint Association of People Living with Disabilities (JONAPWD), and the Nigeria Gender Budget Network (NGBN).

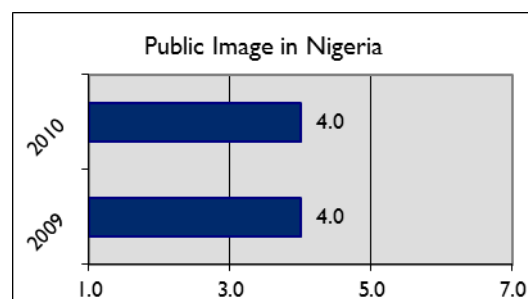
Many NGOs implement projects in partnership with other NGOs to meet funding requirements. The government recognizes the advantages of working with NGOs and partners with them to achieve common objectives. For example, in some states of the federation, including Kano State, the government engages NGOs in the budget process. As mentioned earlier, the Ministry of Finance worked with NGOs in 2010 to develop a Medium-Term Expenditure Framework for the country.

PUBLIC IMAGE: 4.0

The public perception of NGOs has improved over the years, largely due to successful NGO advocacy campaigns. While some people still have negative views about NGOs, the public is increasingly aware of NGOs' role in society and increasingly supportive of NGO activities.

Nigerian NGOs generally benefit from positive media coverage, particularly larger NGOs in major cities. While NGOs must pay for advertisements in the print and electronic media, other media coverage of NGOs is free.

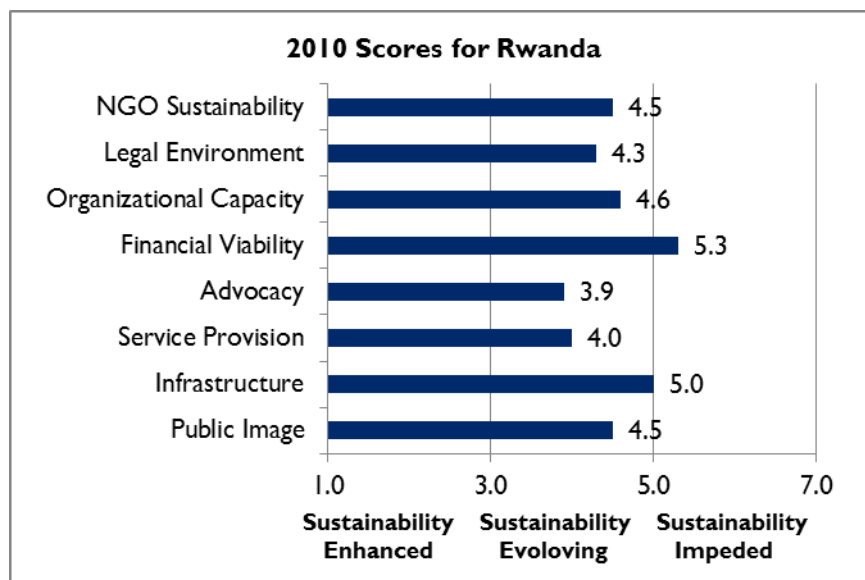
However, some journalists still expect kickbacks to cover NGOs' activities. NGOs recognize the need to publicize their activities. However, many organizations, especially rural NGOs, do not have the skills, contacts, or resources to do so.



The traditional rivalry between government officials and NGOs is beginning to wane. NGO-government collaboration at the state and federal levels on initiatives such as the Medium-Term Expenditure Framework and NEITI is helping change government perception of the sector. However, some government officials still view NGOs with mistrust, afraid that NGOs are only interested in exposing their corruption. Although collaboration between NGOs and businesses is still minimal, the business sector does not perceive NGO activities negatively. In many instances, businesses are not willing to pay for NGO services, believing that donors have already paid for such activities.

CAMA provides the basic standards of operation for registered NGOs. However, these standards are often ignored by NGOs, and there is no monitoring or enforcement to ensure compliance. NGOs have not been able to develop internal regulatory mechanisms, such as a code of ethics, and have rejected previous attempts to increase regulation. Leading NGOs in the country publish annual reports, mainly for the sake of their donors.

RWANDA



Capital: Kigali

Government Type:
Republic

Population:
11,370,425 (July 2011 est.)

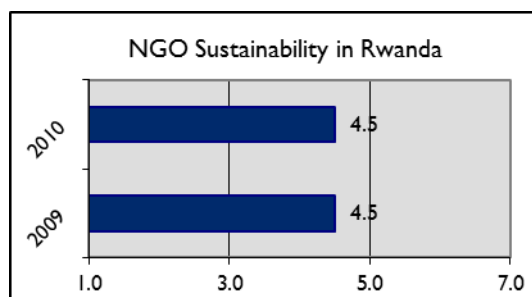
GDP per capita (PPP):
\$1,100 (2010 est.)

Human Development Index: 166 (2011)

NGO

SUSTAINABILITY: 4.5

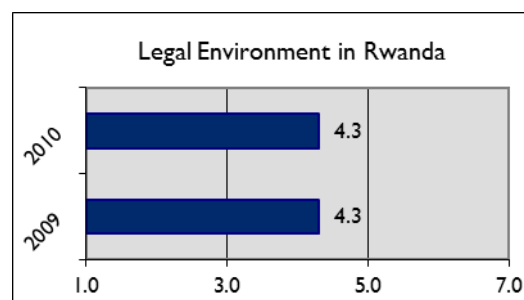
The NGO sector in Rwanda continues to evolve. Approximately 2,050 registered and active NGOs now operate in all sectors and parts of the country. This number does not include informal community-based organizations (CBOs) operating at the local level. NGOs operate freely under a generally favorable political environment. The government considers NGOs, especially those engaged in service delivery, as partners in development. That said, the government often fails to consult NGOs on public policy issues, leading NGOs to push for their voices to be heard. As a result of NGO pressure, several draft laws and policies were amended in 2010. With donor assistance, NGOs are increasingly working to improve their internal management systems and strengthen their financial management practices. Rwandan NGOs benefit from an increased understanding and appreciation of their work by both the population and the government.



Despite these advances, the sector still needs to strengthen local legal capacity, develop mechanisms to retain staff, and implement strategic plans based on citizen needs. NGOs also need to increase their ability to raise funds locally, improve partnerships with both government and businesses, and attract more media coverage. Finally, NGOs must continue to advocate on behalf of their constituents.

LEGAL ENVIRONMENT: 4.3

In 2010, NGOs in Rwanda continued to be governed by Law 20/2000 Relating to Non-profit Making Organizations (NPOs) and Organic Law 55/2008 Governing Non-Governmental Organizations. Unregistered organizations do not face any problems operating, although they are generally ineligible for donor funding. NGO registration is somewhat burdensome. NGOs must first get provisional authorization from the local authorities or the relevant ministry, and then register with the Ministry of Justice. An NGO is legally required to renew its registration on an annual basis. Renewal is only granted if an NGO has submitted a programmatic and financial report to the Ministry of Local Government, which regulates local NGOs.



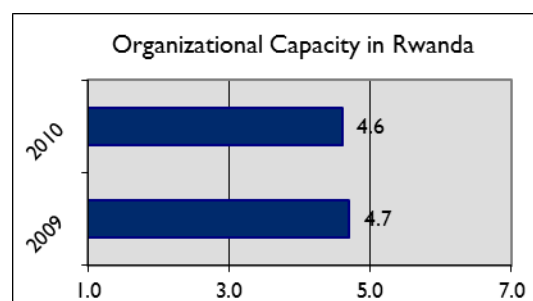
NGOs are not harassed by the state and are allowed to operate in any field. However, administrative obstacles sometimes impede their work. For example, the Joint Action Development Forums (JADF), which promote cooperation between the private sector, civil society, and the public sector in order to advance development at the local level, charge a fee for participation, which some NGOs cannot afford. Although participation in JADF is not obligatory, NGOs feel participation is important in order to avoid duplication of efforts and create synergies.

NGOs are not charged tax on grants or most other categories of income. However, while businesses benefit from tax exemptions on goods they purchase, NGOs are not eligible for these same exemptions. NGOs are allowed to compete for government procurements for goods and services, but are not allowed to earn income by charging fees for services.

A draft law that addresses these issues continued to be under consideration in 2010. Under the draft law, NGOs would be recognized as partners on public policy issues, be allowed to engage in income generating activities, and be provided with certain tax exemptions. In addition, an independent arm would be created under the Ministry of Local Government to regulate NGOs.

Although NGOs can get legal advice, few lawyers in Rwanda specialize in NGO law. Legal advice is more easily accessible in cities than in rural areas.

ORGANIZATIONAL CAPACITY: 4.6



Rwandan NGOs have strengthened their organizational capacity through the support of different programs, including the African Capacity Building Foundation's Rwandan Civil Society Capacity Building Project and the Millennium Challenge Corporation's Civil Society Strengthening Project (MCC/CSSP). Through these programs, over fifty-three Rwandan NGOs have improved their operational capacities and skills in outreach and advocacy and reformulated their boards of directors to operate more transparently.

NGOs face problems in maintaining professional staff. The lack of secure, long-term funding results in high staff turnover. Many NGOs depend on the efforts of local volunteers.

Most Rwandan NGOs do not have well-developed constituencies who are involved in the project cycle from planning to evaluation. Due to their heavy dependence on external funding, NGOs face problems adhering to their strategic plans, especially when their priorities differ from those of donors.

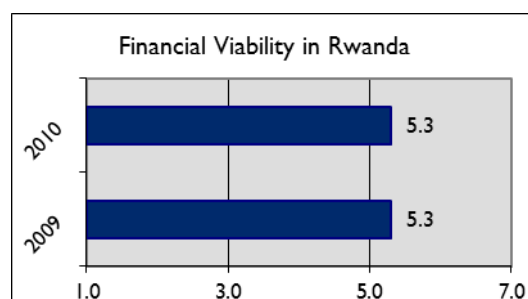
Most NGOs have basic office equipment, including computers with Internet access.

FINANCIAL VIABILITY: 5.3

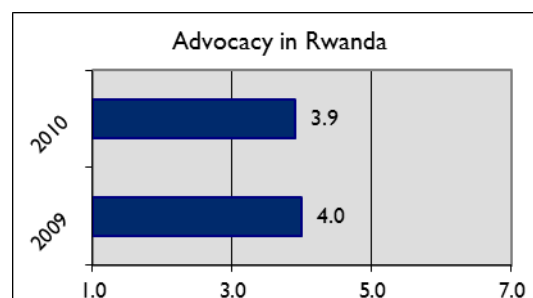
NGOs in Rwanda remain largely dependent on external financial assistance. Donor support is generally project-based; institutional support is difficult to obtain. Most NGOs have only secured financial resources to maintain their operations for a short term.

Local financial support is minimal. Membership in NGOs is still very low, as are membership contributions, which are given begrudgingly. There are few, if any, local philanthropic sources which NGOs can tap. Individual NGOs try to earn income through the provision of services, although this remains illegal. Contracts and grants from local authorities and central government are also minimal.

Various training programs have addressed NGO financial management, including budgeting, procurement, and general accounting procedures. As a result, NGOs are increasingly undergoing independent audits and some NGOs are beginning to understand the benefits of transparency and accountability in their fundraising efforts.



ADVOCACY: 3.9



NGO advocacy was strengthened significantly in 2010. The government became significantly more receptive to NGO input on public policy issues and NGOs became more active and vocal in this arena.

NGOs in Rwanda implemented several successful advocacy initiatives in 2010. NGOs advocated to extend the mandate of the Gacaca Courts, traditional courts in which genocide cases are heard. In addition, NGO advocacy resulted in improvements to the election law to explicitly allow election

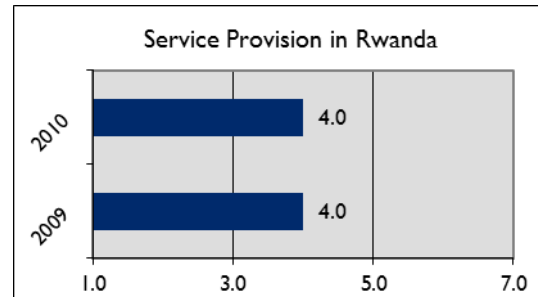
monitoring by NGOs. A coalition of Rwandan NGOs led by Health and Development Initiative (HDI) successfully advocated against a law that would have criminalized homosexuality and sex workers. During the year, NGOs also played a key role in the development of the Gender-Based Law, which requires that a policy's impact on both men and women is equally taken into consideration. NGOs continued to advocate for the passage of the draft NGO law during 2010.

Advocacy coalitions are emerging, getting organized, and becoming politically active and responsive on specific issues. For example, in 2010, an umbrella organization called Pro-femmes Twese Hamwe quickly rallied support, gathered evidence, and developed a clear advocacy message that dissuaded public officials from passing a law that would have reduced the legal age for marriage from twenty-one to eighteen.

However, many weaknesses continue to hamper NGOs' advocacy. Few NGOs have a proper understanding of where to direct their concerns; there is insufficient information sharing, coordination and networking among NGOs; and NGOs do not sufficiently document people's needs.

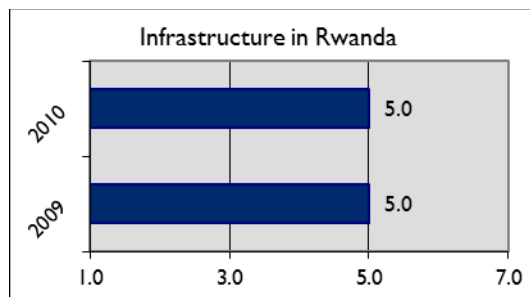
SERVICE PROVISION: 4.0

Rwandan NGOs are highly involved in service provision, working nationwide in areas including health, agriculture, education, environment, infrastructure, human rights, and capacity building. The government tends to value NGO contributions mainly when they lead to physical outputs such as schools, water, or infrastructure. Capacity building and human rights work, on the other hand, are not appreciated; therefore, funding of these programs largely comes from outside of the government.



NGOs' service provision is still hampered by their failure to put cost recovery systems in place. Cost recovery is against the law, and NGOs claim that people are too poor to afford to pay fees for services in any case. Interventions are still generally identified by foreign donors or government structures, rather than by beneficiaries.

INFRASTRUCTURE: 5.0



Existing umbrella organizations act as intermediary support organizations (ISOs) and NGO support centers. These groups publish newsletters, maintain databases of their members, operate libraries with relevant NGO literature, and provide basic training. On occasion, they award grants to NGOs. However, they are weak at raising local funds, resulting in competition for funding with their members. This inhibits their legitimacy and ability to set standards and codes of conduct for member organizations.

Information sharing within networks is weak due to a lack of funding. Resources are needed to share information, whether it is via the Internet, text messages, or in-person meetings. Local training capacity exists in areas such as fund mobilization, strategic planning, and NGO management. Training in outreach and advocacy is also available, although this is often conducted by international experts, as it is a new area of interest in Rwanda. Donors sometimes require training to be conducted by international consultants even when local capacity exists. The ability to conduct or access training is often limited by a lack of funds.

NGOs are forming more intersectoral partnerships with government and media, although these tend to be informal and based on personal relationships and interests. Partnerships with local businesses are hampered by businesses' focus on immediate financial gain, as well as their perception that civil society is unable to do anything on its own.

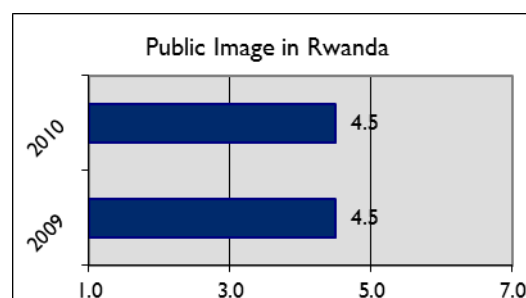
PUBLIC IMAGE: 4.5

NGOs started working closer with the media in the process of developing and advocating for the NGO law, and NGOs are increasingly interested in using media to cover their work and engage their constituencies. Some NGOs such as Huguka have acquired radio stations that they use for these purposes. Most NGOs have mechanisms to reach out to the media, including radio programs, TV shows, journals, press releases, and press conferences. For example, Central Structure for the Development of Local NGOs (CCOAIB) produces a weekly radio program, bi-annual periodical titled "Interaction," and a monthly newsletter titled "Gana Aheza" (Move Towards a Better Future). Others with regular electronic and print media coverage include Transparency Rwanda, Rwandan Collective of Leagues and Associations for the Defense of Human Rights

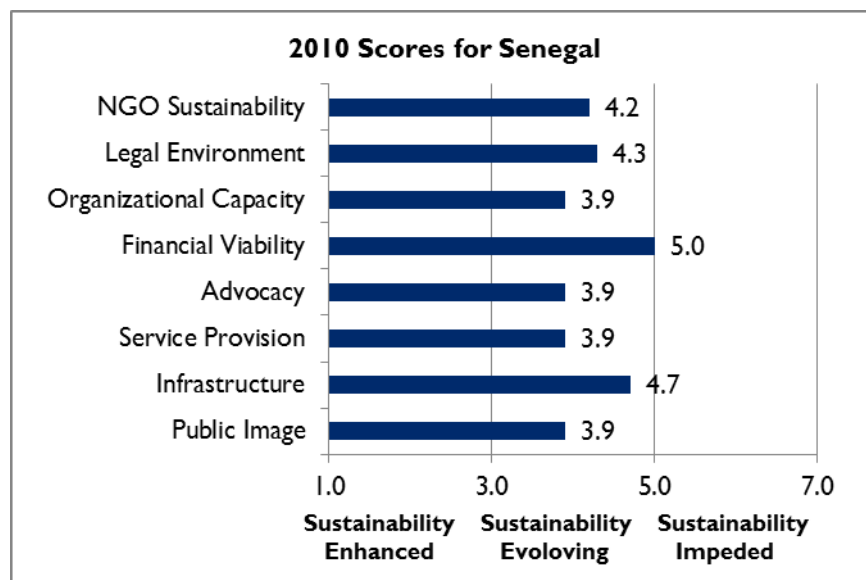
(CLADHO), Association of Widows of the Genocide (AVEGA), Ibuka, Pro-femmes, and the Central Trade Union of Workers of Rwanda (CESTRAR), to mention but a few.

Government perception of NGOs has improved. NGOs are increasingly involved in government-funded service provision, and government increasingly welcomes NGO participation in sector working groups and forums including JADF. The private sector does not yet understand the benefits it can reap by engaging with NGOs, particularly as a market for its products. The public generally approves of NGOs' work, although the concept of an NGO is not well understood.

Due to limited resources, few NGO publish annual reports. However, NGOs regularly present their achievements in their general assemblies, which are usually covered by the media. While there is no sector-wide code of ethics, individual NGOs, including those involved in the MCC/CSSP, have developed their own codes of ethics. There are no serious demands for accountability from the public; therefore NGO efforts to be transparent tend to be aimed at meeting donor requirements.



SENEGAL



Capital: Dakar

Government Type:
Republic

Population:
12,643,799 (July 2011 est.)

GDP per capita (PPP):
\$1,900 (2010 est.)

Human Development Index: 155 (2011)

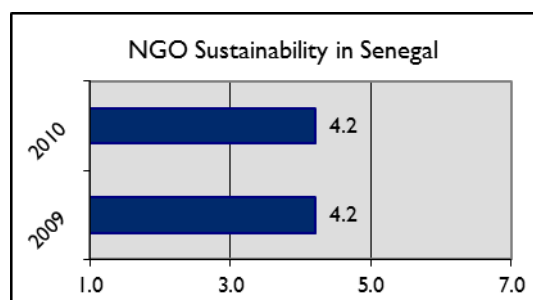
NGO SUSTAINABILITY: 4.2

NGOs in Senegal provide basic social services; build the capacity of community-based organizations (CBOs), local communities, regional state services, and the media; and work to empower people and promote sustainable human development. NGOs also conduct social audits of public services to promote accountability and citizen control over government. Although NGOs deliver social services primarily to poor or vulnerable communities, other NGO services reach a large part of the population. According to the Community Development Directorate, there are 503 NGOs registered in Senegal.

Advocacy and lobbying is generally performed by NGO networks. Such initiatives are mainly focused on legislative and regulatory reforms, as well as the formulation, implementation, and participatory monitoring and evaluation of public policies and partnerships to ensure fairness, efficiency, and transparency. NGOs advocate against



inequality, corruption, and bribery to promote efficiency of government services.



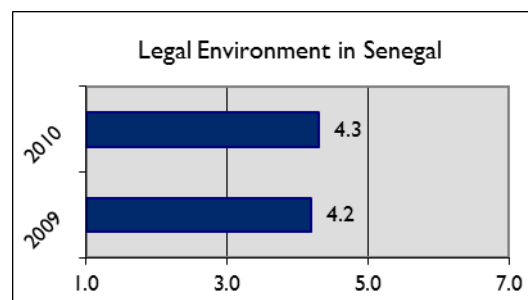
The provision of social services by NGOs is increasingly insecure. Donors are increasingly providing support directly to the government and institutional support to NGOs is harder to come by. In addition, the government's unilateral reforms of the regulatory framework in 2010 also impeded NGOs' ability to act as service providers by delaying government approval of new programs. This has decreased the number of organizations acting as service providers and

weakened the “right of initiative.” The “right of initiative” refers to the right of citizens, represented by NGOs, to participate in policy and law-making processes in the country, and is based on the European Union concept of fundamental citizens’ rights.

The sector’s development is also challenged by the lack of an enabling environment for philanthropy and weak public perception, which is shaped by criticism in the media and subjective speeches by public authorities.

LEGAL ENVIRONMENT: 4.3

The Constitution officially guarantees freedom of association. All citizens have the right to create an association under the Code of Civil and Commercial Obligations. NGOs are regulated by Decree 96-103 of 1996. In November 2010, the decree was unilaterally modified to give the state more control over NGOs. NGO supervision was moved from the Ministry of Family Affairs to the Ministry of Interior, and NGOs were subjected to an annual review of their funds by the Ministry of Economy and Finance. According to the public authorities, the review is aimed at evaluating the contribution of NGOs to public service delivery and fighting money laundering. However, the government’s intimidation and criticism of NGOs that promote democratic governance leads many to believe that its principal objective is to prevent NGOs from exercising public oversight.



The Ministry of Interior decides on an NGO’s registration based on their application and the non-binding opinion of an interdepartmental commission comprising representatives of the Ministries of Interior, Economy and Finance, and Family Affairs, and the Council of NGOs Working in Support of Development (CONGAD). NGO registration is a difficult process because of the inefficiency of public services. Access to information is cumbersome and administrative processes are slow.

The government often restricts NGOs’ freedom of expression and participation in political and socio-economic dialogue. In general, the government believes that NGOs should limit their activities to service provision and abstain from criticizing public management. The authorities consider any breach of this line of conduct as hostile. For example, in 2010, the African Encounter for the Defense of Human Rights (RADDHO) was repeatedly attacked by the President in the media and summoned by the Criminal Investigation Division.

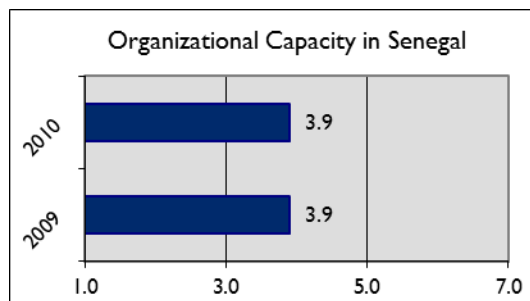
NGOs that face legal problems are confronted with a defective judicial service. In addition, law firms generally lack knowledge of the regulatory framework governing NGOs. Significant disparities exist between access to legal services in urban and rural areas and the capital and the regions. NGOs also have trouble affording legal services.

Tax exemptions for NGOs are limited. NGOs receive tax exemptions for goods that have been outlined in an investment program and approved by an inter-ministerial committee presided over by the Ministry of Finance and CONGAD representatives. Fuel, cement, and services (including workshops) are never exempt.

There are no laws governing NGOs’ ability to generate income from the provision of goods and services; however, in practice, some NGOs do generate revenue in this way, reinvesting the revenue in their activities.

NGOs can bid on public tenders in accordance with the Code of Public Procurement, despite the absence of specific legal provisions permitting them to do so. However, NGOs face strong competition from private businesses for such contracts.

ORGANIZATIONAL CAPACITY: 3.9



Many NGOs develop strategic plans, which are then referenced in the design of three-year programs. This best practice provides an organization with more legitimacy and transparency and is a necessary but insufficient condition for exercising the “right of initiative.” The lack of technical skills limits the development of strategic plans, while implementation of strategic plans is inhibited by NGOs’ need to continuously adapt their programs to donor priorities in order to access funding.

NGOs extensively implement efficient information, administrative, and financial management systems. In order to meet donor requirements and growing demands for internal accountability, NGOs increasingly develop internal manuals that outline the respective responsibilities of the board and executive teams. Several organizations publish their financial statements and audit reports to reinforce their credibility and transparency. Others systematically set up multi-stakeholder steering committees, which may include local politicians and government representatives, for individual projects or programs. NGOs share financial information, including budgets and financial reports, with these committees. NGOs increasingly organize statutory meetings, including annual general assemblies, although some organizations have remained aloof from this self-regulatory movement.

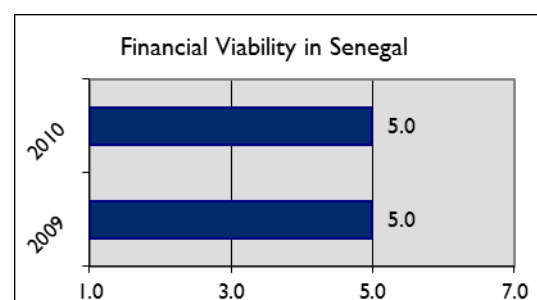
Many NGOs lack the capacity to develop job descriptions, contracts, wages, and staffing plans. Organizations with appropriate human resource policies face problems implementing them because of limited financial resources. Increased funding is also needed to attract and maintain the highest caliber human resources; qualified and experienced employees are concentrated in organizations offering the best working conditions and salaries. Qualified staff often leave the sector in search of better salaries. Many NGOs have professional accountants on staff; IT administrators and access to legal services are less common. Because NGOs often lack stable institutional support, labor costs are increasingly included in project and program budgets, even though this does not provide the stability necessary to consolidate institutional gains.

NGOs use volunteers, but this is not without costs. NGOs sometimes cover transportation and accommodation expenses for volunteers, and NGOs may not be able to find the level of expertise and experience they need on a volunteer basis.

NGOs are finding it increasingly difficult to upgrade office equipment because of donor policies that favor activities over equipment. The decline in the use of technology has led to disparities among NGOs and limits NGOs’ ability to use new information technologies, such as software, databases, and GIS, to improve monitoring and evaluation efforts.

FINANCIAL VIABILITY: 5.0

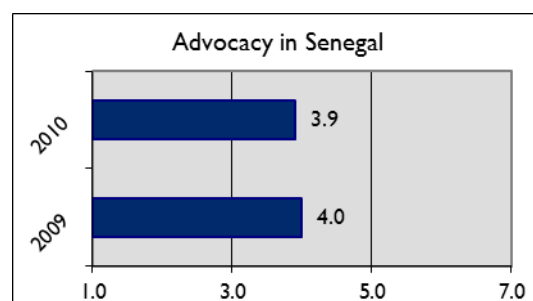
The structure of most NGOs’ financial resources reveals a high degree of organizational fragility. With the exception of organizations deriving income from service provision, NGOs generally rely on grants or sub-contracts funded by foreign donors. Grant programs often require good governance and transparent management practices, including annual financial statements and audit reports, and cost-share of up to 15% of the requested budget. Such criteria favor NGOs with a stable financial base.



In response to the international financial crisis, many NGOs have started charging fees for their services to cover their operating costs. For example, the NGO Union for Solidarity and Mutual Aid runs an ophthalmologic center in Dakar and has used the revenues generated from providing surgical services to improve their technique, expand access to care, increase the number of people receiving low-cost eyeglasses, and cover a part of their operational costs. NGOs generally price their services so that they are affordable for their beneficiaries. Other NGOs generate income through membership dues.

Access to local financial resources remains marginal. The government has no political interest in awarding grants to or engaging in partnerships with NGOs. The SONATEL Foundation is a rare example of corporate social responsibility, although it awards most of its grants to government agencies. Beneficiary communities sometimes provide in-kind support in the implementation of projects and programs.

ADVOCACY: 3.9



NGOs increasingly engage in advocacy and lobbying for legal and regulatory reform. Senegalese NGOs have tackled areas as diverse as international commercial negotiations, sustainable management of natural resources, conflict prevention and resolution, good governance, and anti-corruption. In 2010, NGOs made progress in areas such as farming, education, and health, widely contributing to the emergence of structured farmer organizations, parent-student associations, and health commissions and insurance.

Several channels exist to facilitate communications between NGOs and policy makers. Inter-ministerial committees review NGOs' registration applications and investment programs. The General Secretariat of the President of the Republic hosts the Framework for State-NGO Collaboration, although it has not met for five years, which reflects a weakening of dialogue between the sectors. NGOs are represented by CONGAD in both the inter-ministerial committees and the Framework for State-NGO Collaboration. CONGAD is also a member of steering committees and supervisory boards of national programs and projects in various fields, including the Water Resources Program, Millennium Sanitation Goals (PEPAM), National Program for Local Development (PNDL), and Millennium Challenge Account.

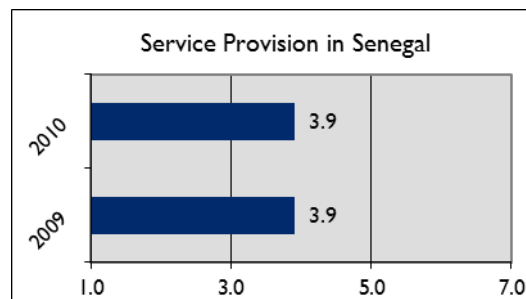
NGOs, government officials and politicians -- both parliamentarians and local councilors -- jointly implement policies, programs, and projects. In addition, NGOs encourage government employees to participate in projects as resource persons, steering committee members, and beneficiaries of capacity building programs.

In 2010, NGOs organized meetings with the Ministry of Economy and Finance and CONGAD's twelve major donors to share their concerns concerning the development of the Economic and Social Policy of Senegal for 2011-2015. NGO initiatives also encouraged political parties to adopt a Charter of Good Governance. In addition, NGOs shared with authorities, including parliament, ministries, and technical services, their conclusions and recommendations on access to water and sanitation, which were then included in the PEPAM report. Finally, NGO lobbying led parliament to adopt the Gender Parity Law, which promotes democratic practices based on gender equality and gender equity in electoral processes, and the Law on Social Orientation, which aims to provide equal opportunities to people with disabilities and to protect and promote their rights.

The NGO community is regularly engaged in efforts to promote an enabling legal and regulatory framework that can enhance their efficiency and sustainability. In 2004, CONGAD participated in the development of a draft law to repeal and replace Decree 96-103. Unfortunately, the draft was never reviewed by the Council of Ministers or submitted to Parliament for adoption. Advocacy efforts to adopt the draft law continued in 2010. In 2010, NGOs also pushed the government to make legal reforms through the implementation and endorsement of a participatory analysis of legislative and regulatory control of civil society in Senegal.

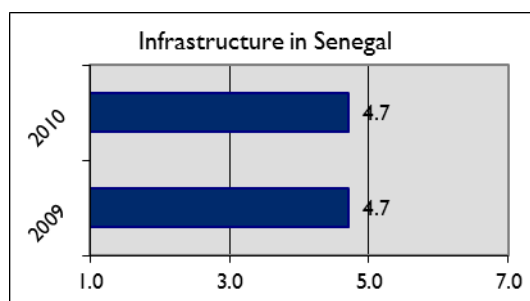
SERVICE PROVISION: 3.9

As mentioned above, NGOs provide services in various areas, including health, education, access to water, environmental management, sustainable agriculture, food security, renewable energy, disaster prevention and management, and governance. Products and services provided by NGOs generally reflect the needs and priorities of their support groups and beneficiary communities. Public participation is becoming more important in defining priorities. Studies, teaching materials, advocacy documents, and workshop reports are distributed to other NGOs, academics, government, local authorities, and media.



NGOs recover a small portion of the cost of delivering services. In many cases, contracts do not take into account the real financial costs of providing services, including salaries, wear and tear on equipment, and monitoring of contract deliverables.

INFRASTRUCTURE: 4.7



Although several NGOs provide capacity building support, access to information, and advisory services, the lack of financial resources does not allow them to offer their services widely or for free on a sustained basis. The few local community and private foundations that exist in Senegal do not have the capacity to provide significant support to NGOs' work.

There are several active NGO networks, including CONGAD, the Federation of Women's Associations of

Senegal (FAFS), the National Consultation and Coordination of Rural Areas (CNCR), and the Federation of NGOs of Senegal (FONGS). The government recognizes the strength of these networks and has been known to take actions to discredit them. For example, the President instructed the government to create a farmers' union to diminish the influence of autonomous farmers' organizations and the CNCR.

NGOs attach great importance to information management and dissemination, both internally and with other NGOs. NGOs use many tools to share information, including forums, publications, websites, mailing lists, and audio-visual media.

The NGO community has access to training expertise in areas such as strategic management, accounting, financial management, fundraising, and governance. Appropriate training materials are not always available in all local languages.

The relationship between NGOs and research centers and universities is weak. In addition to the absence of curriculum devoted to NGOs, there is a general lack of education on management approaches.

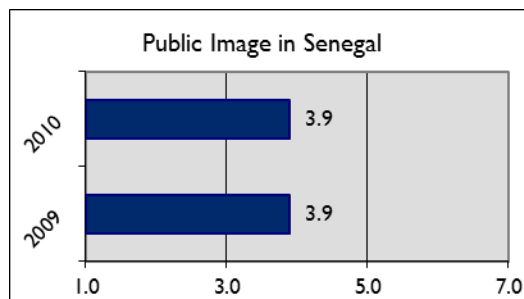
NGOs develop partnerships with local businesses and government, but partnerships are primarily limited to programs focused on the fight against poverty, and do not always take advantage of NGOs' comparative advantages, including their flexibility, local knowledge, proximity to communities, and low costs.

PUBLIC IMAGE: 3.9

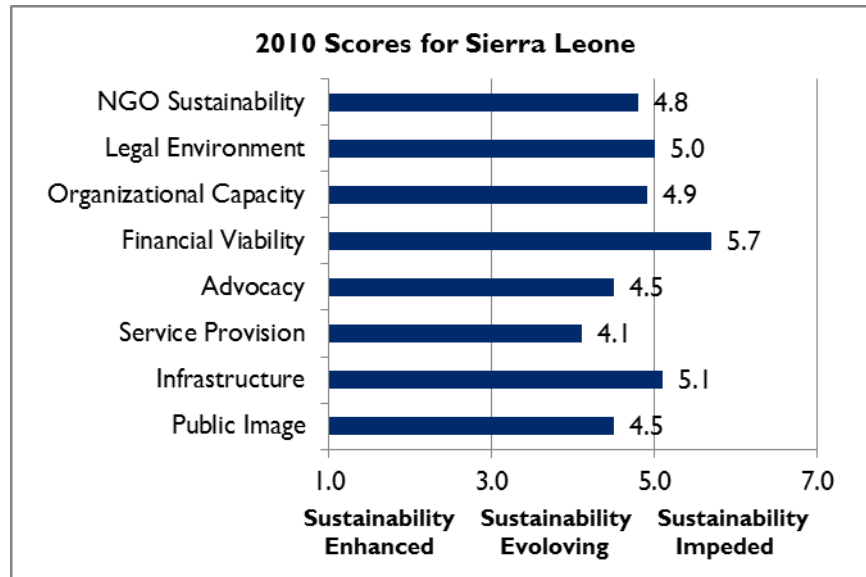
There is growing media interest in NGOs, particularly related to initiatives on democratic and socio-economic governance issues at the national and local levels. Journalists, who are constantly seeking to expand their contacts and sources of information, increasingly recognize the expertise NGOs have to offer.

Public perception of the sector is not uniform. Some people do not know what NGOs do, or accuse NGOs of wasting resources on extravagant operational costs, including expensive vehicles, rather than service delivery. Others welcome NGOs' public service missions in improving the quality of life of vulnerable and disadvantaged groups. A growing number of NGOs have started presenting their achievements to the public through media, while also including journalists in capacity building sessions. Although there is no unified government opinion of NGOs, there is a tendency to question NGOs' usefulness, efficiency, and even achievements.

CONGAD's NGO members adhere to a Code of Ethics and Conduct. Resource persons selected for their integrity ensure that the rules of ethics and conduct are complied with and resolve disputes between NGOs or between an NGO and another party.



SIERRA LEONE



Capital: Freetown

Government Type:
Constitutional Democracy

Population:
5,363,669 (July 2011 est.)

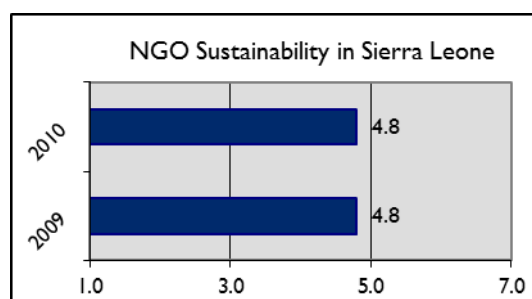
GDP per capita (PPP):
\$900 (2010 est.)

Human Development Index: 180 (2011)

NGO SUSTAINABILITY: 4.8

NGOs in Sierra Leone operate in a difficult context. Intense poverty, poor infrastructure, irregular supplies of electricity and running water, and the lack of reliable public transport all hinder the development of the sector. Corruption is still widespread and represents a considerable financial burden on the NGO sector. Despite these obstacles, NGOs are developing their professionalism, provide valuable services in communities around the country, have an open line of communication with the government, and have achieved notable advocacy successes.

There are currently 285 NGOs registered in Sierra Leone, 118 of which are international organizations. Sixty-six new NGOs registered in 2010, including eleven international NGOs. NGOs work in diverse areas ranging from health, water and sanitation, agriculture, and education to advocacy on human rights, gender, and extractive industries. In addition, several thousand unregistered organizations operate at the grassroots and community levels.



The NGO sector is still largely dependent on foreign donors, although more NGOs are winning contracts from both national and local governments and donors to provide services. The Ministry of Health has been particularly active in awarding contracts to NGOs.

NGOs suffer from a shortage of basic office equipment. Formal partnerships between NGOs are rare, although more recently NGOs have been sharing best practices and have restructured both their functions and operations.

LEGAL ENVIRONMENT: 5.0

NGOs are governed by an NGO Policy issued by the Ministry of Finance and Economic Development (MoFED) in November 2009 after a lengthy consultative process with stakeholders.

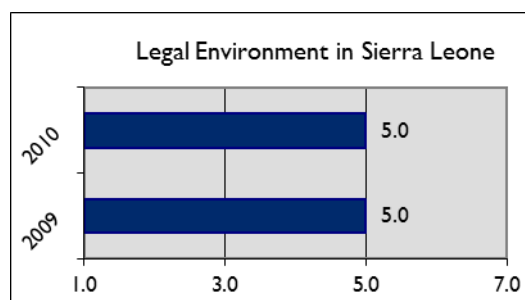
NGOs operate free from repressive government policies and regulations. NGOs - but not CBOs - are required to register with the Sierra Leone Association of NGOs (SLANGO), an independent consortium of NGOs that provides NGO registration services on behalf of the government and promotes cooperation among its members. International NGOs, as well as national NGOs that wish to import equipment or supplies duty free, must also register with MoFED. Registration of NGOs is straightforward and systems are in place for reporting and other communications with authorities. However, government offices tend to be understaffed or staffed by personnel who lack a full and clear understanding of their duties, which hinders NGOs' ability to register promptly and can delay the initiation of official operations.

NGOs do not pay taxes on their income, and once registered with MoFED are also eligible for tax exemptions on imported goods and equipment. SLANGO is still in discussion with the National Revenue Authority (NRA) on extending the exemption from the Goods and Services Tax (GST) to local NGOs.

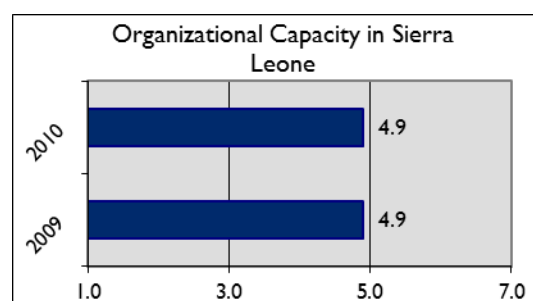
There is an urgent need to develop laws and regulations that promote financial sustainability of the NGO sector as a result of the increasing difficulties encountered in obtaining funding from foreign donors. There are no tax incentives for domestic philanthropy. Corporations are legally required to spend 3% of their annual profits on corporate social responsibility (CSR), although there is little evidence that the NRA has the capacity to enforce this provision. NGOs can charge fees for their services, but the lack of tax exemptions on income from economic activities discourages NGOs from engaging more actively in this sphere.

While NGOs are increasingly competing for and winning government procurements in areas such as health, water and sanitation, training, and agriculture, there are no legal mechanisms for the government to provide grants to NGOs.

To date, there are no lawyers in Sierra Leone offering specialty services in NGO law. Lawyers that represent NGOs tend to do so primarily in the context of employment and labor law and land matters.



ORGANIZATIONAL CAPACITY: 4.9



In order to curtail the growth of “briefcase NGOs,” SLANGO requires members to be properly constituted with clearly defined roles for boards and management. More effort is needed to build the capacity of board members to understand their roles and fulfill their functions in order to consolidate these good governance structures.

CBOs tend to be less structured ad hoc groups operating at the community and grassroots levels with little or no external funding. Some CBOs, however, are more structured and actively seek assistance from NGOs to build their capacities so they can eventually acquire NGO status. The NGO Policy requires that all NGOs have a minimum of five staff members, some of whom may be volunteers.

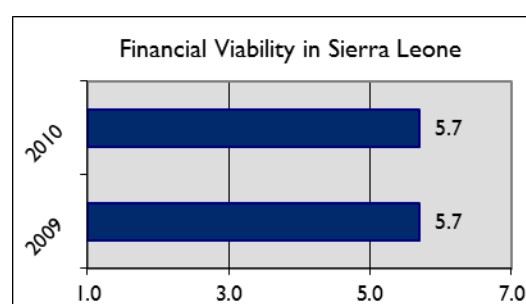
NGOs increasingly seek to identify and build local constituencies for their initiatives, including through the organization of various consultations at the grassroots level. The increased public awareness of the roles and responsibilities of NGOs has eased constituency building efforts.

NGOs continue to develop their professionalism, particularly in the planning and implementation of activities and work with partners. Most international NGOs, as well as increasing numbers of local NGOs, now utilize sophisticated strategic planning models. Volunteering continues to increase. While volunteerism has always been popular at the grassroots level, more organizations throughout the sector are now making use of volunteers.

Most NGOs have basic modern office equipment. As a result of limited resources, CBOs have less sophisticated equipment.

FINANCIAL VIABILITY: 5.7

Most NGO funding continues to come from foreign donors. NGOs increasingly raise revenue by contracting with local and central government and donors to provide services. These services range from healthcare to farmer training schools, and agricultural interventions such as milling grain and processing palm oil. In particular, the EU and UN have noticeably increased the number of tenders they have issued to fill gaps in the government's delivery of services. However, international NGOs tend to have an advantage over local NGOs in competing for these contracts, given their greater capacity and stronger track records in implementing similar programs.



NGOs continue to receive very little local financial support from individuals or businesses. Most companies that engage in CSR channel their support to ad hoc CBOs as opposed to mainstream NGOs.

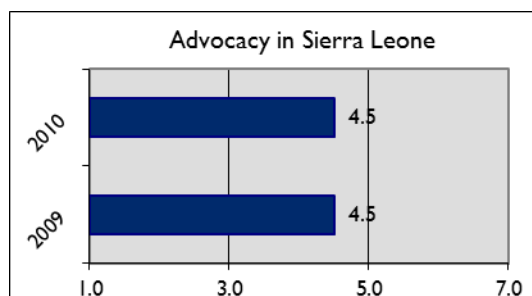
Larger NGOs tend to have diverse sources of funding, allowing them to implement a range of programs. Smaller NGOs, on the other hand, often implement a single program funded by a single donor, re-applying for funds to continue or expand the program when needed.

Many NGOs do not have sound financial management systems in place and have little concern for transparency. Mandatory Financial Accounting Standards for NGOs were proposed in 2009, but have not been adopted yet due to a lack of capacity within MoFED and the NRA to implement or enforce them. The Council for Standards of Accounting, Auditing, Corporate, and Institutional Governance (CSAAG) is still advocating for the adoption of these standards, which will increase transparency and accountability in the sector.

ADVOCACY: 4.5

NGOs have a cordial relationship and an open line of communication with the government. The sectors increasingly cooperate and collaborate, even undertaking joint programs both at the local and national levels.

Several NGO advocacy initiatives in the last year have successfully influenced government policy and raised awareness on various issues. For example, INCLUDE engaged with the parliament on the formulation of the Disability Act. NGOs are also increasingly involved in reviewing the Mining Licenses issued in recent years. The Campaign for Good Governance teamed up with the 50/50 Group and the Women's Movement to advocate for a 30% quota of women's involvement in every aspect of government decision making and employment, including all elected positions.



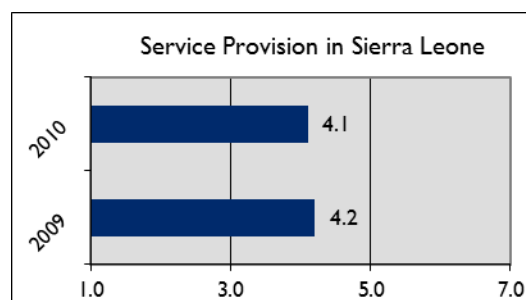
With the help of UNDP, civil society actors have created forums to interact with lawmakers. The Parliamentary Human Rights Committee, Civil Society Human Rights Forum, and UNDP Civil Society Human Rights Network all foster closer cooperation and interaction between civil society activists and members of parliament. As a result of this cooperation, there is now closer monitoring of police stations and their detention policies across the country.

Sierra Leone's economy is gradually expanding, driven by growth in the extractive industries. The NGO sector has responded to this development by working to increase the awareness of ordinary citizens of the commercial sector's activities, as well as its impact on the environment and their lives. Network Movement for Justice is very active in highlighting shortcomings in the environmental impact reports published by the extractive industries as well as problems with contracts issued by previous and current governments. Civil Society Movement monitors government programs and expenditures and has been very vocal about corruption and poor governance.

Existing and emerging advocacy groups urgently need more technical and organizational capacity in areas such as legislative drafting, monitoring and evaluation, lobbying, and media relations in order to sustain their momentum and enhance the efficacy of the sector. The lack of financial resources is also a major impediment to NGO advocacy efforts.

SERVICE PROVISION: 4.1

NGOs offer a variety of services in areas such as agriculture, education, health care, social welfare, and human rights. National and local governments increasingly partner with NGOs to fill gaps in social service provision, thereby raising the visibility of the sector. Local NGOs rarely charge fees for services to their communities. While a few organizations do charge for services and products such as agricultural support materials and training, these fees remain heavily subsidized by donors due to the poverty of the target constituents.

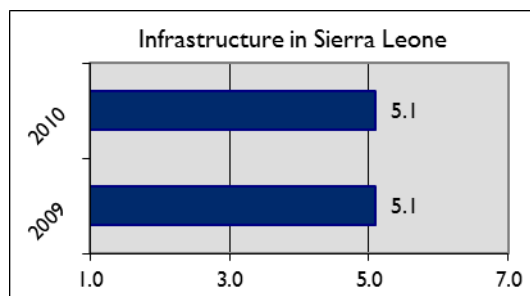


Local NGOs and CBOs increasingly conduct assessments to identify the needs of the communities they serve and tailor their projects accordingly. Previously, donors or international NGOs identified community needs, with local NGOs limited to an implementation role. NGOs became more involved in needs assessment as they realized that the programs they implemented were not appropriate to the context but merely satisfied funders and looked good in the western media.

INFRASTRUCTURE: 5.1

NGOs increasingly share information, build each others' capacity, and implement projects through coalitions, networks, and intersectoral partnerships. For example, Mwanachi - a network steered jointly by CGG and ActionAid - has been conducting the National Dialogue on Local Council Reform.

There are only three resource centers in the whole country: SLANGO, Development Assistance Coordination Office (DACO) and Enhancing the Interaction and Interface between Civil Society and the State to Improve Poor Peoples Lives (ENCISS). With decentralization and the opening up of new regional offices, SLANGO and ENCISS now offer services, including monthly regional meetings, nationwide.



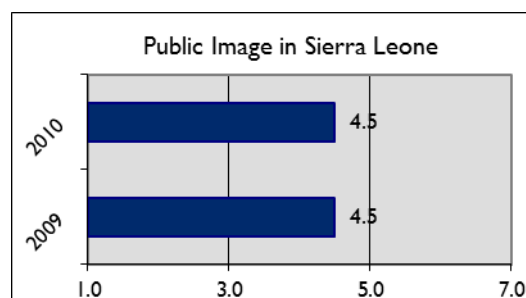
Most of the larger, more established NGOs continue to provide basic training and consulting services in response to foreign donor initiatives. ENCISS and SLANGO, together with UNDP, UNICEF, EU, and DFID, have increased their support for capacity building, which has had a positive effect on the sector. The training and support they have provided in areas such as management training has helped to increase efficiency, accountability, and sustainability in the sector. More support is needed in areas such as proposal writing, project management, and monitoring and evaluation, as well

as sectoral issues that arise on occasion.

Some of the larger NGOs re-grant foreign donor funds. A few local foundations - mostly small family foundations focused on particular schools or communities - exist, but their scope tends to be very limited.

PUBLIC IMAGE: 4.5

The media in Sierra Leone generally lacks professionalism and journalistic integrity, and is more likely to report on scandals affecting NGOs than to cover the sector's activities or achievements. Despite these weaknesses, NGOs work hard to publicize their activities and promote their public image by establishing productive relationships with more discerning journalists.

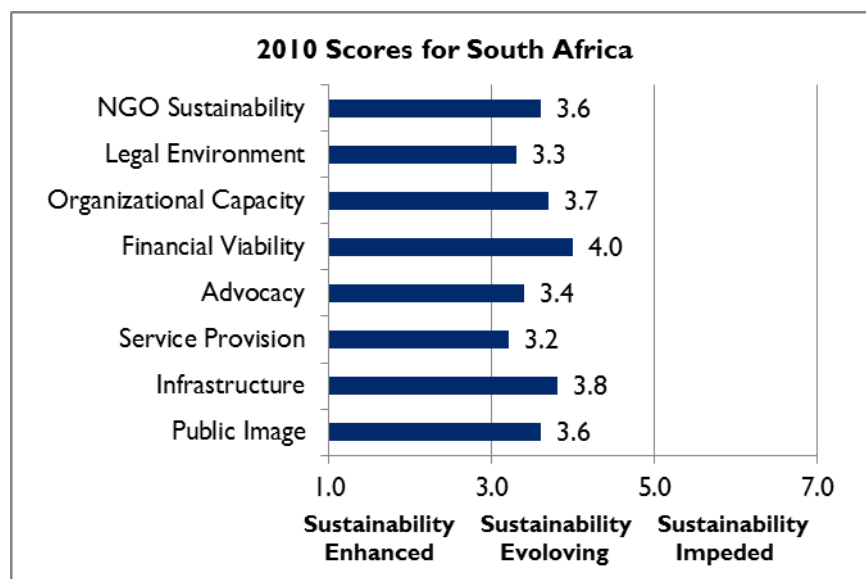


On the whole, the public views NGOs in a positive light, recognizing their contributions to the country's development. However, NGOs sometimes face problems convincing communities that they do not have unlimited resources to solve local problems.

For the most part, the national and local governments view NGOs as development partners that help fill gaps in service provision. However, some local governments view NGOs as competitors. Collaboration between NGOs and the commercial sector is increasing, as evidenced by the burgeoning partnerships around the country. For example, Marampa Welfare Trust, a local NGO, partnered with the London Mining Company to rehabilitate the market toilets and remove household waste in Lunsar.

All NGOs are required to produce annual reports, which are available for inspection at the SLANGO Secretariat. SLANGO also requires NGOs to sign on to the NGO Code of Ethics. These measures ensure a level of transparency and professionalism that contributes to the NGO sector's positive image among the public.

SOUTH AFRICA



Capital: Pretoria

Government Type:
Republic

Population:
49,004,031 (July 2011 est.)

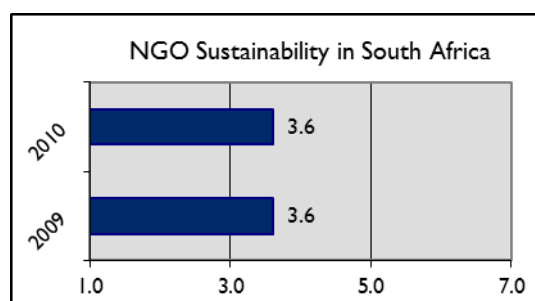
GDP per capita (PPP):
\$10,700 (2010 est.)

Human Development Index: 123 (2011)

NGO SUSTAINABILITY: 3.6

The number of NGOs in South Africa continues to grow quickly. NGOs wishing to access government funding and tenders register with the Department of Social Development (DSD). In 2010, the DSD reported an increase of 10% in registration applications, bringing the total number of registered organizations to 65,633. The geographic distribution of applications reflects the relative populations of the provinces, with the highest numbers in Gauteng (51%), KwaZulu Natal (30%) and the Eastern Cape (30%). The Northern Cape submitted the fewest applications (4%). Thousands of organizations also continue to operate without registration.

Social services organizations account for 33% of all NGOs, followed by organizations working on community development and housing (21%). International organizations account for the fewest number of registered non-profits (0.1%).



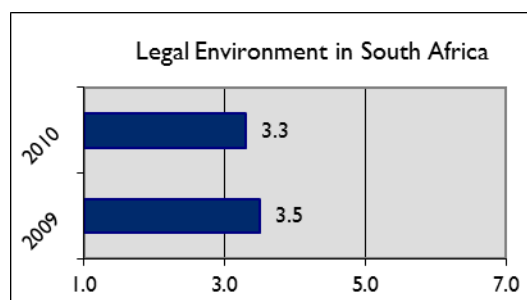
There was a significant increase in NGO advocacy initiatives in 2010 in response to a shift in governmental policy and practice towards centralization. For example, police service has been re-militarized, there has been talk about reducing the number of provinces from nine to four, and there are renewed discussions on the nationalization of mines. As a result, civil society has a renewed focus on its independence and role as a watchdog. The sector is also looking more critically at its capacity to conduct successful advocacy campaigns.

The financial sustainability of NGOs became more precarious in 2010. NGOs remain overly reliant on international donor funding, which was cut significantly as a result of the global recession. The sector has begun to advocate for more transparency and accountability of two national funding mechanisms – the National Development Agency (NDA) and the Lotto Fund – as a result of concerns about financial management and political manipulation. For example, although their mandate is to support civil society, the NDA and Lotto Fund awarded grants to the National Youth Development Agency, a government institution, for the World Festival of Youth and Students.

LEGAL ENVIRONMENT: 3.3

NGOs in South Africa continue to be governed by the Non-Profit Organizations Act of 1997 and the Companies Act of 2008. NGOs register with the DSD, which has been simplifying its bureaucratic processes to ease registration by providing templates on its website.

NGOs are not denied registration on an overtly political basis. Nevertheless, over one-third of applicants were initially denied registration in 2010 as they did not provide all of the required technical information.



Although it is not compulsory, more and more NGOs are choosing to register. This is a result of donor requirements, the Financial Intelligence Centre Act's (FICA) requirement that an NGO must be registered in order to open a bank account in its name, and the government's requirement that NGOs must be registered in order to compete for service delivery contracts.

To keep its registration current, an NGO must submit an annual report and audited financial statements. Many organizations have problems fulfilling these obligations, although less than two percent were deregistered for non-compliance. The DSD is also trying to increase compliance with this requirement by making model reports and templates available.

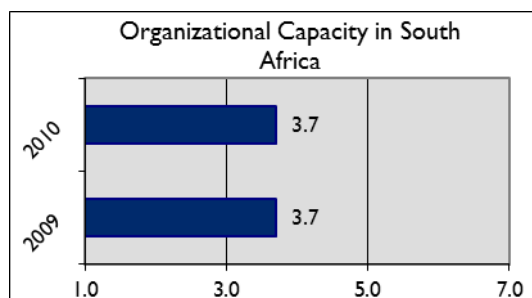
NGOs are subject to increasing political pressure from the government, including the withdrawal or rejection of funding to NGOs that are critical of the government. Social service organizations, which are more likely to rely on government funding, have been warned by individual civil servants that their funding will be cut off unless they are compliant.

There is a growing use of legal support by NGOs in parts of the country. NGOs in urban centers generally have more access to legal support, although legal services are also available in small towns such as Oudsthoorn in the Cape. Regardless of accessibility, legal services remain unaffordable for many NGOs. In some cases, NGOs budget for litigation in their advocacy campaigns. No specific training exists on NGO legal issues.

NGOs are eligible for a number of tax benefits and exemptions from municipal rates (a benefit that few NGOs are even aware of). However, NGOs continue to find it challenging to claim these benefits due to excessively bureaucratic procedures. Most NGOs suffer from limited human resource capacity and simply do not have the manpower required to push these applications through the system. Income generated through services related to an NGO's core business is tax exempt.

ORGANIZATIONAL CAPACITY: 3.7

The use of formal strategic planning processes by NGOs remains uneven in South Africa. NGOs are starting to exhibit an interest in planning, but are finding it difficult to respond to the rapidly changing political and



economic environment. Larger, urban-based NGOs tend to be better in this regard than smaller organizations based in poor neighborhoods and rural areas.

National advocacy organizations made a concerted effort to build coalitions and constituencies for their campaigns in 2010 as the political environment became more centralized and less tolerant of criticism. As the government increasingly criticizes NGOs for being unrepresentative, it has become clear that NGOs need to do more to educate and involve

the public in their work. In particular, the Right to Know (R2K) Campaign, which opposes the Protection of Information Bill – draft legislation that would curtail access to information and criminalize whistle blowing on state activity – has begun to campaign more broadly.

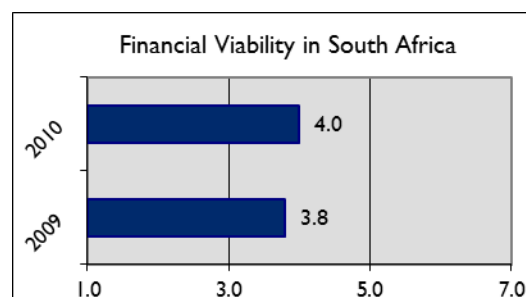
NGO management and governance continues to vary within the sector. Some boards are very hands-off, while others interfere where they should not. An increase in requests to capacity building organizations for training on governance indicates an awareness of the need to improve skills in this area. Some NGO boards can be described as activist, lobbying on behalf of their organizations, and helping to raise funds, rather than leaving this to staff.

The global recession is starting to impact NGOs' capacity. As fewer funds are available, skilled staff are starting to move into sectors that offer more stable employment. An NGO's effectiveness in human resource management is often related to its size and longevity.

Most NGOs have access to the technology required to conduct their business, although variations continue to exist between NGOs in urban and rural areas. Due to the increasingly competitive economic environment, NGOs are likely to begin lagging behind in technological resources in the future.

FINANCIAL VIABILITY: 4.0

The financial viability of NGOs in South Africa shifted significantly in 2010. The global economic recession started to take its toll on the sector, particularly advocacy and governance organizations, which tend to be overly reliant on international funding. Regency Foundation Network estimates that overall funding for NGOs in South Africa declined by R3 billion (approximately \$367 million) from 2009 levels.



There was significant public criticism of the Lotto Fund and the National Development Agency in 2010. These national funding mechanisms have been accused of bias in their allocation of funds, conflicts of interest by board members and senior staff, as well as managerial ineffectiveness. For example, board members have not recused themselves appropriately from awards where there were conflicts of interest awards on more than one occasion. As a result of a parliamentary hearing where media and NGO concerns were raised, new regulations were put into place in July 2010 to ensure more transparency in priority setting, rural/urban allocations, and decision making.

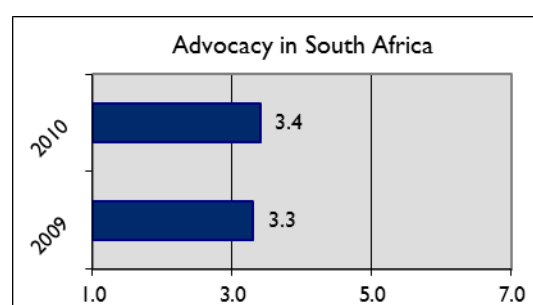
Private foundations have become more stringent in their expectations of strong financial management systems, conducting extensive due diligence into NGOs' financial, performance, human resource management, and reporting systems. This has particularly impacted smaller organizations, which are less likely to have well-developed systems.

Service organizations depend largely on government contracts, which can be vulnerable and are often not economically viable. NGOs often submit unrealistic budgets in response to government tenders, which can result in NGOs effectively subsidizing government services.

In response to these constraints, NGOs have become increasingly cognizant of the need to diversify their funding. NGOs continue to explore income generating projects and other programs that provide them with flexible funding. For example, the Goedgedacht Centre in the Western Cape has a conference center and sells olive oil and related products to fund its poverty alleviation and youth programs.

South Africans have shown a willingness to contribute to causes they believe in, such as the Save the Rhino campaign and numerous Gift of the Givers emergency relief efforts, including support to Japan after the tsunami and Pakistan after the floods. NGOs need to re-evaluate how they can tap into this individual support.

ADVOCACY: 3.4



In 2010, the Children's Act was implemented successfully after over a decade of sustained advocacy by the Child Justice Monitoring Network (CJMN). The Act seeks to protect children's rights, protect them from mistreatment, and ensure that their best interests are considered in all matters.

The R2K Campaign gained visibility and national traction this year. Organized by a coalition of human rights and governance NGOs, R2K opposed the Protection of

Information Bill, which has been under development since 2008. With corruption on the rise, passage of the bill would be a fatal blow to democracy in the country.

Advocacy organizations invested more energy in developing constituencies to increase public support for their initiatives in response to the rapidly changing political environment this year. During local government elections in 2010, opposition parties received significantly more electoral support at the local government level. This electoral reversal greatly influences the work of organizations at the local level, which are likely to have developed relationships with the previous ruling party.

The legislative and policy infrastructure, including various forums and legislative committees at all levels of government, continues to allow civil society to engage with the state. However, the state is growing increasingly intolerant of criticism and is utilizing its financial muscle to influence and subdue advocacy efforts across the sector. This has led to increasing cooperation among NGOs. For example, several coalitions focus on various areas of early childhood development to enable advocacy in a constructive manner.

NGOs now need to improve their skills and comfort levels to engage in lobbying. Many NGOs, particularly those in the service sector, are hesitant to engage in lobbying due to concerns about how this will impact their relationship with the government. Lobbying skills are particularly weak at the local and provincial levels. NGOs, like citizens, tend to focus on national politics and do not have the necessary human resources to advocate effectively at all points in the governance systems. High level advocacy skills are concentrated in larger NGOs, although there have been initiatives to build the advocacy capacity of CBOs and smaller NGOs over the last four years that should bear fruit in the coming years.

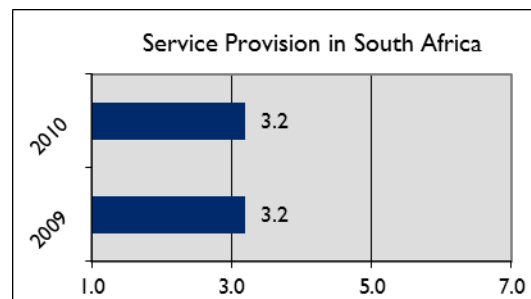
Four organizations in the Western Cape are leading an initiative to improve NGO registration and taxation. However, these efforts are not well known or broadly supported across the country, perhaps because the legal environment is generally friendly and there are so many other pressing matters.

SERVICE PROVISION: 3.2

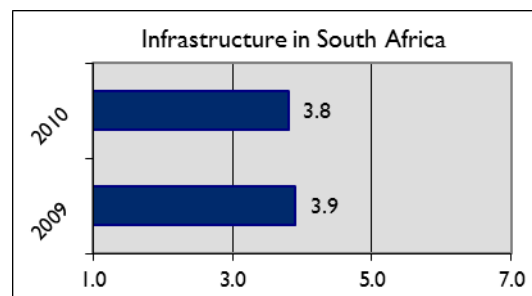
The programmatic focus of NGOs registered with the DSD shifted in 2010. Social service organizations now represent the largest portion of the sector (33%), followed by the community development and housing sector (21%). Organizations focused on education – the largest category in the sector in 2009 – were ranked third in 2010.

Cost recovery continues to be a challenge for NGOs. NGOs often lack the skills to create effective budgets and understand the market. In addition, as noted previously, NGOs often put together unrealistic budgets in order to win government contracts, resulting in an effective subsidy of government services. At the same time, there is a debate in the country as to whether NGOs should engage in cost recovery work.

In general, CBOs and service organizations are very responsive to community needs, while larger organizations are generally further removed from the communities they serve and may not be as responsive to shifting dynamics at a community level.



INFRASTRUCTURE: 3.9



Intermediary support organizations (ISOs) and resource centers continue to be available and broadly accessible, particularly in large cities such as Cape Town, Johannesburg, Durban, and Tshwane. Smaller organizations in smaller cities throughout the country have less access to services provided by resource centers. Information dissemination is widespread, and various electronic newsletters such as the NGO Pulse are widely distributed and utilized. Organizations such as the Foundation for Human Rights (FHR) and the Southern African Trust (SAT) regrant foreign

funds.

Inyahtelo, an NGO, focuses on building capacity in the NGO sector, but is based in the Western Cape, which is difficult for most organizations to reach. While CIDA provides funding specifically for NGO capacity building, civil society generally struggles to find internal resources to pay for this kind of support. A regional university offers a program for NGO managers. However, it is quite expensive and thus out of reach for many organizations.

Networks and coalitions continue to be largely issue-specific. However, in 2010, NGOs once again attempted to build networks and coalitions to give civil society a stronger voice at the national level. Examples include R2K and the Gauteng Social Welfare Forum.

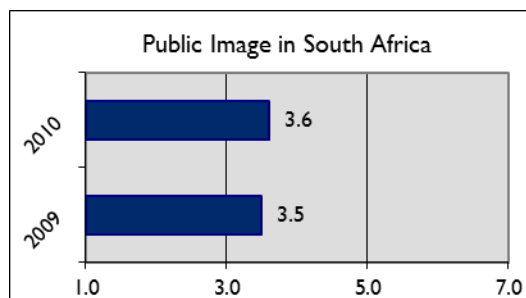
Some companies dedicate funds to corporate social responsibility (CSR), although these funds are largely distributed to service delivery NGOs and not NGOs focused on governance and human rights. Intersectoral partnerships are rare, but there is growing awareness of their advocacy power.

PUBLIC IMAGE: 3.6

Advocacy campaigns, particularly those that are high-level and political in nature, garnered more media attention in 2010. Smaller media outlets at the community level continue to cover development issues and

thus NGOs in more depth than their national counterparts. However, coverage tends to be passive and lack depth. Very few journalists appreciate the role of civil society or the importance of media coverage of the sector's work.

Over the past year, government has developed a more negative view of NGOs, particularly those that are critical of service delivery and corruption. Civil servants and politicians, in turn, have become more critical of NGOs, highlighting NGOs' dependence on state contracts and issuing veiled threats. In official terms, however, government encourages the role of NGOs and recognizes its dependence on NGOs to deliver state services.

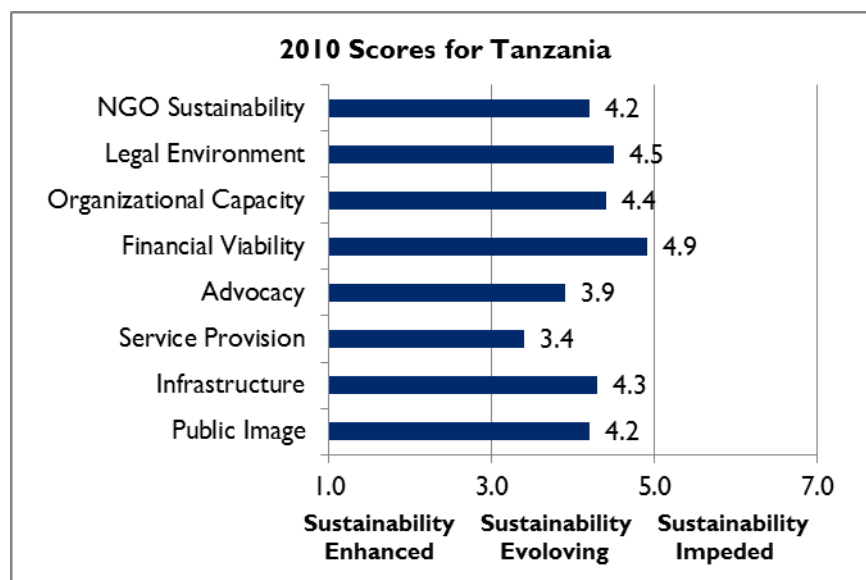


CSR is largely undeveloped. However, an annual conference coordinated by the NGO Trialogue facilitates relationships between civil society and businesses, and was attended by substantially more people in 2010.

Although they may appreciate the work done by NGOs in their communities, the public still has a poor understanding of the NGO sector. This is exacerbated by the fact that NGOs still do not engage in public relations as actively as they should.

Registered NGOs have to publish annual reports that include financial information. Some NGOs have adopted codes of conduct, but there is no overall umbrella body to coordinate such efforts.

TANZANIA



Capital: Dar es Salaam

Government Type:
Republic

Population:
42,746,620 (July 2011 est.)

GDP per capita (PPP):
\$1,400 (2010 est.)

Human Development Index: 152 (2011)

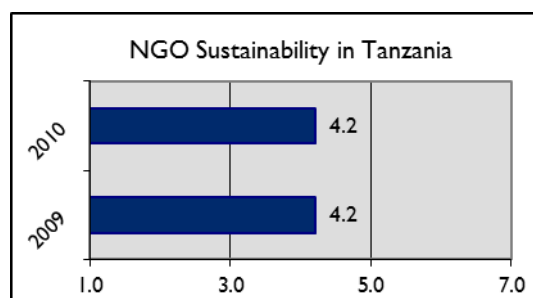
NGO SUSTAINABILITY: 4.2

The political landscape of Tanzania in 2010 was dominated by the general election on October 30, in which voters elected the president, members of parliament, and local government councilors. NGOs were heavily involved in the run up to the election. Debates on the independence and impartiality of the National Election Commission (NEC) remained high on the NGO agenda for most of the year. Many NGOs were also involved in civic and voter education and election observation. Some NGOs participated in pre-election consultations with the government, NEC, and the Registrar of Political Parties. In Zanzibar, NGOs were heavily engaged in discussions that led to a new constitution and a government of national unity before Zanzibar's general election, also held on October 30.



For the first time in the history of Tanzania's elections, an NGO - the Christian Association of Professionals in Tanzania (CPT) - produced its own election manifesto in the run up to the general election. The manifesto focused on educating voters to judge candidates on the

basis of their integrity. Because CPT is a faith-based organization (FBO), the manifesto sparked heated debates in the public, as well as among religious bodies and other FBOs, with some claiming that the manifesto fomented religious intolerance.

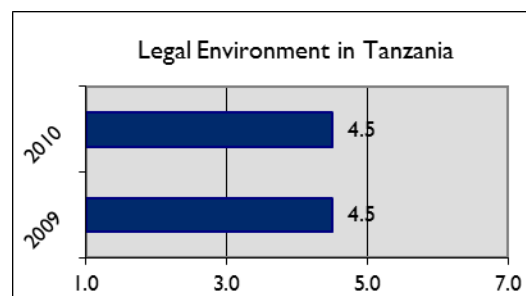


Approximately 4,800 NGOs were registered on the mainland in 2010, and about 500 in Zanzibar. While the legal environment for NGOs is fairly enabling, the multitude of laws governing NGOs also creates confusion. NGOs often

have weak organizational capacity, with rural NGOs facing more problems in this regard than their urban counterparts. Boards exist, but rarely hold management accountable. Tanzanian NGOs, particularly those that work on advocacy, remain heavily dependent on foreign donors; CBOs, on the other hand, often depend on beneficiary contributions. While over half of the NGOs in the country exclusively provide services, NGOs are also active advocates. During the year, NGOs and the media continued to pressure the government to take stern measures against corruption and were also involved in the ongoing debate on the new constitution. NGOs have a generally positive public image, although the government sometimes views advocacy NGOs with distrust.

LEGAL ENVIRONMENT: 4.5

NGOs in Tanzania have a multitude of legal forms to choose from when registering, including societies (governed by the Societies Act of 2002), trusts (governed by the Trustees' Incorporation Act of 2002), companies limited by guarantee (governed by the Companies Act of 2002), partnerships (governed by the Law of Contracts Act of 2002), and copyright societies (governed by the Copyright and Neighboring Rights Act of 1999). Regardless of the legal form, registration is generally easy, although somewhat complicated by high fees, language barriers, and bureaucratic procedures.



Depending on the organizational form chosen and the geographic scope of its work, an NGO registers with various institutions at the national and local government levels, including the Business Registration and Licensing Agency (BRELA), Registration, Insolvency and Trusteeship Agency (RITA), the Ministry of Home Affairs, the Ministry of Community Development, Gender and Children, the District Administrative Secretary, and the District Community Development Officer. The weak capacity of these agencies affects their ability to implement NGO-related laws. In Zanzibar, NGOs are registered by the Registrar of Societies under the Societies Act of 1995.

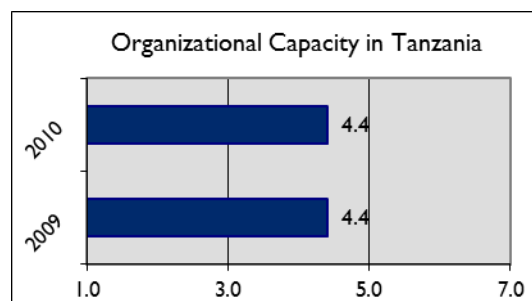
While providing flexibility, the multitude of laws governing NGOs also creates confusion in terms of NGO registration and operation. Some NGOs do not register due to a lack of awareness of the various avenues for registration. Informal organizations are not forced to register in order to operate, although their operations are somewhat restricted by their lack of legal status. For example, unregistered NGOs are not invited to stakeholder meetings and cannot invite government officials to participate in their activities.

Freedom of association and expression are guaranteed under both the Union and Zanzibar constitutions. However, these freedoms are limited by Article 30(2)(e), which subjects them to other laws of the land. This gives the government power to limit guaranteed rights and freedoms by enacting laws or taking other actions. Isolated cases of administrative impediments and state harassment, particularly of the media, occur but are not widespread. However, government often reacts negatively to advocacy, equating it with opposition politics.

NGOs are eligible for some tax exemptions. However, the procedures for receiving tax exemptions are so time-consuming and complicated that NGOs either do not import or procure needed materials, or pay taxes from which they are legally exempt. NGOs are allowed to engage in income generation and commercial activities and to compete for bids by the central and local governments.

There are some local lawyers trained in and familiar with NGO law, but they are based mostly in urban areas.

ORGANIZATIONAL CAPACITY: 4.4



Some NGOs, mainly those that have a national or regional scope, adhere to specific missions and geographical areas of focus. Other NGOs, including “briefcase NGOs” and MONGOs (My Own NGO), migrate from one thematic area to another depending on the potential availability of donor funds.

More often than not, NGOs fail to serve clearly defined constituencies. Although leading NGOs now understand the need and are making efforts to develop local constituencies,

these efforts have not yet reached fruition. Rural NGOs, which focus more on delivering crucial services to the public than on advocacy, tend to be more accountable to their beneficiaries than their urban counterparts.

NGOs, particularly smaller, local CSOs, generally have weak organizational capacity. A noticeable urban-rural divide exists, with the capacity of rural NGOs limited by poor infrastructure and social dynamics, including a generally lower level of education. There are, however, isolated examples of strong and effective rural NGOs. For example, a nursery school in a remote village that is ninety kilometers from the nearest town is so well-managed that it has become financially self-sustaining.

Few NGOs have strategic plans. Some NGOs prepare strategic plans only to conform to donor requirements. Organizations with strategic plans may not implement them. In addition to a general lack of organizational commitment to strategic planning, consultants imposed by funding agencies often prepare strategic plans for NGOs with minimal or no involvement of stakeholders, reducing the plans’ relevance.

NGOs rarely engage in monitoring and evaluation, despite the fact this is a condition for funding by some donors. Only a few of the more advanced NGOs engage monitoring and evaluation staff on a permanent basis.

Some individual NGOs employ full-time staff members, although inadequate financial resources keep many smaller NGOs from maintaining adequate permanent staff. Some NGOs compensate for this by hiring key staff like accountants and human resource managers on a temporary or part-time basis. Some civil servants offer their management skills to NGOs after they retire.

A Tanzanian NGO must prepare a constitution and draw up appropriate internal administrative structures before submitting its registration application. However, for most NGOs, this organizational framework only looks good on paper; in practice, governance is a major challenge. Most organizations lack a separation of roles between the board and the executive. Board members are frequently selected in a manner that is neither transparent nor democratic. Moreover, board members are often not provided with any sort of orientation or clear definition of their roles and responsibilities. In many NGOs, boards are merely ceremonial, with members content to receive travel allowances for attending board meetings while failing to hold management accountable. Board meetings are often held irregularly and compliance by management with the decisions and directives of their boards is poor.

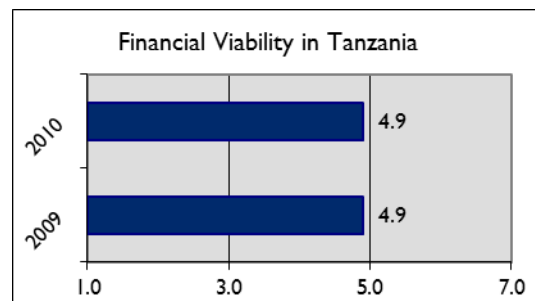
NGO access to technical equipment varies based on financial means. Most NGOs have basic office equipment, including computers and fax machines, although they often fail to utilize these resources effectively. NGOs often purchase used equipment.

Access to appropriate office accommodations remains a major challenge for many NGOs. Many NGOs, even those in rural districts, prefer to establish themselves in central business districts where rents are relatively high. Few NGOs own their own premises, even though this may be more cost-effective and sustainable in the long-run, in part because donors rarely fund the acquisition of property.

FINANCIAL VIABILITY: 4.9

Tanzanian NGOs, particularly advocacy NGOs, remain largely dependent on foreign donors. Donors recognize NGOs as partners in implementing development programs, even though they may not consult with NGOs before setting priorities or designing programs.

CBOs, particularly those that provide basic services to rural communities, do not access donor funds on a regular basis, instead depending on contributions from beneficiaries. Other NGOs experiment with raising revenue through grants from Local Government Authorities (LGAs), particularly in the area of HIV/AIDS, and by providing consultancy or other contract services to LGAs. In general, however, local funding for the NGO sector is still low.



Although still rare, government agencies occasionally contribute funds to NGOs. For example, the Prevention and Control of Corruption Bureau (PCCB) provides funds to an NGO it regularly works with to cover some of the costs incurred in their joint activities. The Public Service Ethics Secretariat in the President's Office also provides funds for NGOs participating in various governance programs such as the Public Expenditure Tracking Surveys (PETS) under the Facility for Ethics, Accountability and Transparency (FEAT).

Many NGOs collect membership fees; however, the amount they collect remains very limited. Other NGOs earn some income by charging fees for the services they provide. NGOs are allowed to bid for various tenders to earn income. Some NGOs, particularly those providing support to marginalized and disadvantaged groups such as people living with HIV/AIDS, orphans, and the disabled, benefit from financial and in-kind support from individuals and businesses.

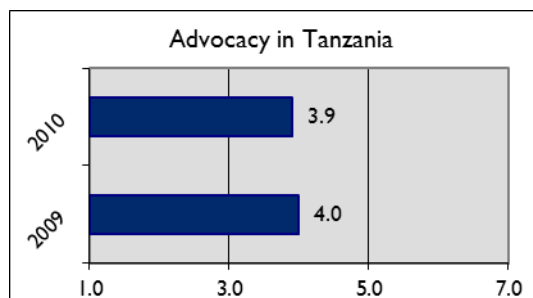
NGOs are required to submit annual reports of their activities as well as an annual audited report to the National Council for NGOs (NACONGO) and the NGO Coordination Board. Despite this requirement, most NGOs have poor accounting and financial management systems and demonstrate poor financial accountability, with weak boards that play little role in financial oversight. Many NGOs only prepare financial reports in order to meet donor requirements.

Many NGOs operate with very high overhead costs including rent for office space in prime locations and the acquisition and maintenance of costly four-wheel drive vehicles, thus threatening their own sustainability. Few NGOs have reliable means of transport and therefore many have to rent vehicles in order to conduct field visits.

ADVOCACY: 3.9

NGOs continue to make strides in advocacy, with narrowly defined advocacy organizations continuing to emerge and become politically active in response to specific issues. Urban NGOs dominate the advocacy space in the country, although NGOs do participate in local decision-making processes as well.

While government prefers NGOs that play a complementary role in service delivery, the government now sincerely cooperates with NGOs on policy formulation. While the constitution has always mandated public participation in decision making, NGOs have recently become more vocal in demanding that this requirement be implemented. As a result, the government is finally beginning to consult regularly with NGOs before passing any policy or enacting any legislation. Many NGOs contributed to the formulation of policies and reform processes in 2010, including the drafting of the new Media Law that is still under debate. NGOs also played a key role in the ongoing debate on the new constitution, a draft of which was withdrawn by



government in response to pressure by several NGOs that objected to the lack of independence of the national Electoral Commission.

NGOs continued to be active anti-corruption advocates during 2010. Several NGOs collaborated with the Prevention and Combating of Corruption Bureau (CCB) in fighting corruption during the 2010 general elections and publishing a popular pamphlet on corruption during elections. In September 2010, NGOs formed an anti-

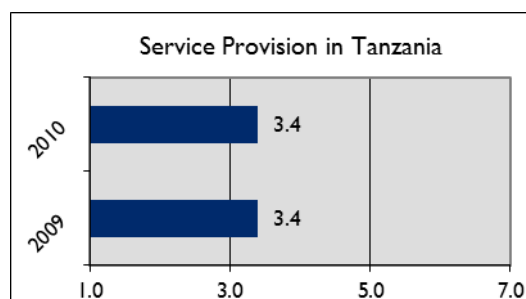
corruption network named Corruption Trackers – Tanzania.

NGOs are developing skills to lobby the government and have had some successes, especially at the local government level. For example, some NGOs have gotten school fees waived for vulnerable groups. Advocacy for legislative reforms, however, is still weak because most NGOs, and indeed most citizens, are not well informed on legal issues. In addition, NGOs still need to develop their capacity to engage in policy analysis to better inform their advocacy work.

NGOs did not engage in any specific advocacy around issues of NGO law reform in 2010.

SERVICE PROVISION: 3.4

NGOs continue to provide a wide range of goods and services that reflect community and/or donor priorities. Recent research determined that more than 56% of NGOs in the country are exclusively service oriented, while only about 8% are exclusively advocacy focused. The rest engage in service delivery with some advocacy role as well. Rural NGOs tend to provide more services than urban NGOs, in part because of the inadequacy of government-provided infrastructure and services in rural areas.

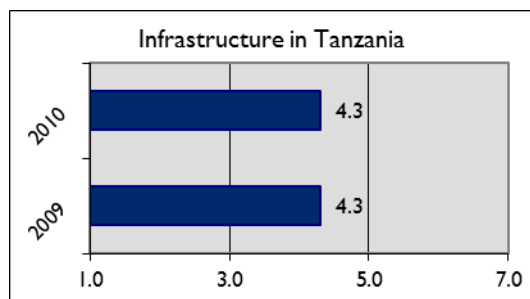


Despite the large number of NGOs involved in service provision, NGO services are not sufficiently diversified. For example, few if any NGOs provide housing or relief services, in spite of the great demand for such services. The tendency for individual NGOs to focus on only one type of service can also cause complications. For example, a field officer delivering school uniforms to an orphaned child may discover that the child is critically ill, but be unable to help.

Service delivery by NGOs is generally considered to be more efficient and cost-effective than government or private sector service delivery because NGOs are more accountable to communities. NGOs in several sectors have developed sufficiently strong knowledge of the market demand for their services and some charge fees to generate income.

Government bodies, primarily at the local level, recognize the abilities of NGOs and provide grants or contracts to enable them to provide various services. For example, local authorities in some cities contract with NGOs to provide public services, including solid waste collection. The government has made Public Private Partnership (PPP) its official policy in the delivery of public services, which creates many opportunities for NGOs and may explain the focus on service delivery by the majority of NGOs. While in theory many opportunities exist for NGOs to partner with government, in practice few NGOs have the capacity to enter into such partnerships. Some NGOs successfully bid in partnership with government ministries, departments, and agencies for tenders for donor-funded projects, including the HIV/AIDS Global Fund, PEPFAR, and Strengthening Transparency, Accountability and Responsibility (STAR) program.

INFRASTRUCTURE: 4.3



NGO support organizations and thematic umbrella networks exist in major population centers where they provide services such as distributing grants, publishing newsletters, maintaining membership databases and NGO libraries, and providing basic training and consulting services.

Networks exist at the national, regional, and district levels and across different sectors, including education, agriculture, and HIV/AIDS. Networks have been known to compete

with the mandate of their member organizations. For example, a network may conduct PET'S while their members do the same work. Many advocacy campaigns are conducted through coalitions such as the Tanzania Association of Non-Governmental Organizations (TANGO) and Tanzania Education Network/Mtandao wa Elimu Tanzania (TENMET) and regional networks such as the Morogoro Union of Non-Governmental Organizations (UNGO-Morogoro).

NACONGO was established by an act of law in 2004 to facilitate self-regulation of NGOs and coordinate their activities. NACONGO also supports NGOs on matters of registration, helps NGOs solve operational problems, creates a good environment for the operation of NGOs, and works to harmonize relations between NGOs, the government, communities, and other stakeholders in Tanzania. However, NACONGO suffers from inadequate resources to operate effectively.

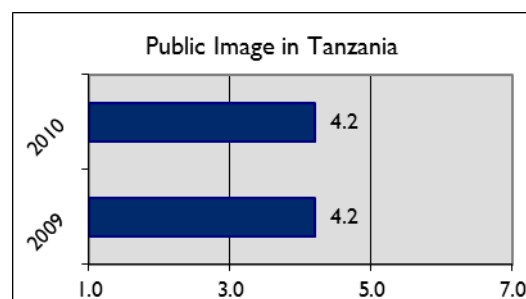
Many donors support capacity building interventions. USAID, for example, supported several training workshops for the STAR project partners in 2010 through Pact Tanzania. The NGO consultancy and support industry still needs to develop its internal skills, but donors rarely include intermediary organizations in their capacity building and funding plans. Even though local trainers have the capacity to provide basic organizational training, most NGOs engage foreign consultants, largely to meet donor conditionality.

Grantmaking organizations continue to play an intermediary role by linking donors with local NGOs. While most organizations playing this role are international, local NGOs such as Policy Forum and the Foundation for Civil Society award grants to local organizations with donor funding. Donors' forums exist to coordinate the financial support of international donors.

NGOs actively engage in intersectoral partnerships. For example, many NGOs conduct PET'S in collaboration with local governments. LGAs may even assign their staff to work with the PET'S teams.

PUBLIC IMAGE: 4.2

While the media's attitude towards NGOs is generally positive, corruption and other malpractice in the media industry, such as kickbacks for time slots in prime TV talk shows, hinder coverage of NGO news and information. In addition, effective media coverage, which generally must be paid for, is too expensive for many NGOs. A proliferation of media outlets has made media more accessible to NGOs. Community radio stations, for example, give NGOs the means to easily spread information to remote areas. NGOs have effectively used media in advocacy campaigns.

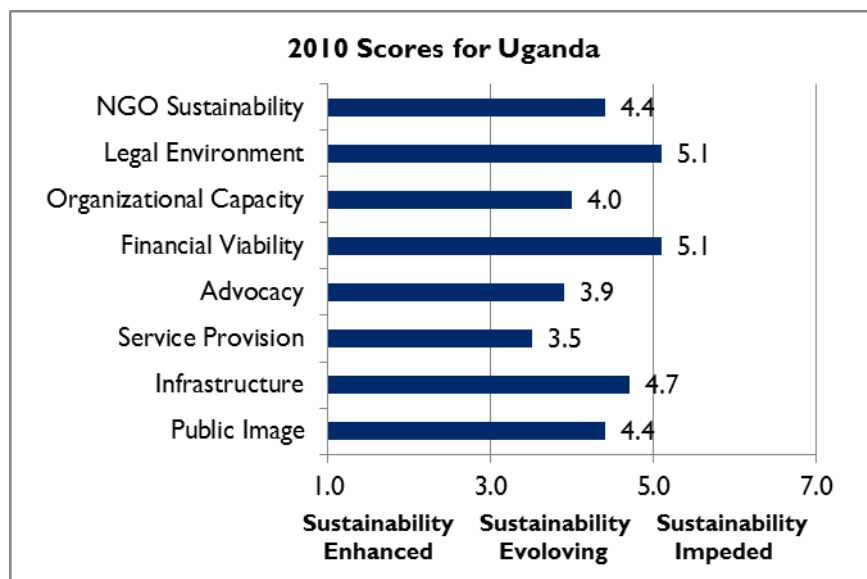


NGOs publicize their activities through the mass media, as well as other means such as fliers and newsletters. In some cases, media and NGOs form partnerships to pursue common causes, such as anti-corruption measures.

The government's attitude towards NGOs is divided. While government is generally supportive of service oriented NGOs, advocacy focused NGOs are often viewed with distrust. In the eyes of the public, however, NGOs have a positive image.

In 2010, NACONGO inaugurated a code of conduct that establishes core values and principles, including self-determination, equality, diversity, and accountability, to guide the conduct and operations of all NGOs in Tanzania.

UGANDA



Capital: Kampala

Government Type:
Republic

Population:
34,612,250 (July 2011 est.)

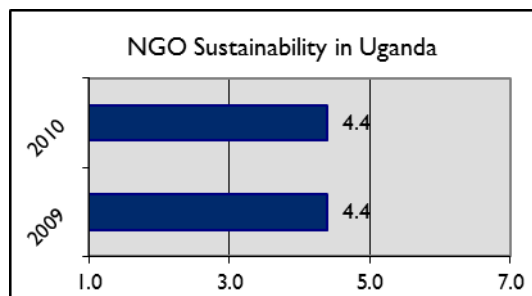
GDP per capita (PPP):
\$1,300 (2010 est.)

Human Development Index: 161 (2011)

NGO SUSTAINABILITY: 4.4

The NGO sector in Uganda continues to grow by leaps and bounds. Although there is no clear data on the number of registered NGOs that operate in practice, the official NGO registry recorded 10,000 NGOs by the end of 2010, an almost 20% increase from the previous year. There is no clear explanation for the exponential growth. Some believe it relates to the availability of funding, while others attribute it to the increase in unemployment, noting that NGOs are seen as a means to make money. Another contributing factor may be that many individuals who worked for international NGOs that left the country after the restoration of relative peace in Northern Uganda have registered local NGOs to continue their work.

NGOs continue to provide valuable social, political, and economic services that contribute directly to the nation's health, welfare, and well-being. As the quality and quantity of government-provided social services in education, health, environment, and agriculture has declined as a result of corruption and poor planning, NGOs' work in service delivery grows in importance. The NGO sector's presence in policy work also



remains strong, with NGOs actively participating in national policy processes such as the National Development Plan (NDP), the budget process, and other sectoral and thematic policy groups.

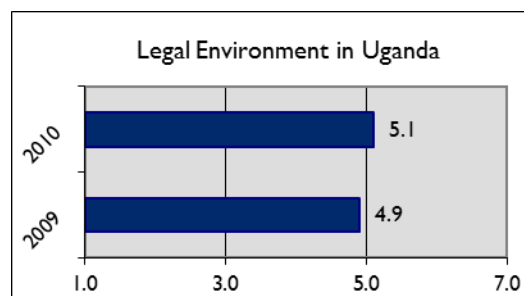
Two key factors affected NGO sustainability in Uganda in 2010. First, 2010 was a pre-election year, and heightened political activity made the environment more tense than usual. NGOs had to compete with political parties for both



the attention of ordinary citizens and media coverage. Second, the ongoing global economic downturn affected NGOs' institutional capacity, financial viability, and their ability to deliver goods and services.

LEGAL ENVIRONMENT: 5.1

The NGO Act Chapter 113, as amended in 2006, remains in force. The NGO Act in conjunction with its implementing regulations creates a difficult legislative environment. The registration process is very bureaucratic, centralized, and cumbersome, especially for smaller NGOs. The law uses several ambiguous terms such as public interest, and provides the NGO Board and the Minister of Internal Affairs with a significant level of administrative discretion. Some provisions in the law are very regressive and make it nearly impossible for NGOs to operate effectively. For instance, Regulation 13 from 2009, titled Special Obligations for Organizations, prevents an organization from making “any direct contact with the people in the area of operation in Uganda unless it has given seven days notice in writing of its intention to do so to the local councils or Resident District Commissioners of the area.”



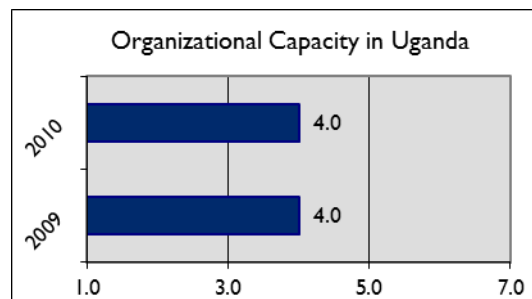
NGOs continue to push for legal reforms. In 2009, NGOs challenged the constitutionality of the 2006 amendments to the NGO Act. The Constitutional Court heard this petition in 2010, although a judgment has not been made yet.. The Cabinet's adoption of the National NGO Policy in October 2010 paved the way to amend the current NGO Act. The NGO Policy, developed through wide stakeholder consultations, articulates a long-term vision for the sector based on the democratic values and principles enshrined in the constitution and international conventions. The policy commits the government to respect the autonomy and independence of NGOs and provide adequate resources to the NGO Board, the government agency that registers all NGOs and oversees their operations. In addition, a new NGO Board was reconstituted in 2010 with a number of structural changes that make it more responsive to the NGO sector. The Board's new leadership has been very open to working with the NGO sector, including on legal reform issues.

Despite these promising policy-related developments, the operating environment for NGOs worsened in practice. NGO staff and volunteers working on civic education faced physical and emotional threats during the year. Several individuals engaged in political mobilization efforts were threatened by Resident District Commissioners in Apac, Lira, and Masindi, while the police arrested and detained campaign volunteers in Kampala and Wakiso districts, accusing them of being engaged in political work. Among the campaigns targeted were the Citizens' Manifesto, and the Respect Your Honor and Return Our Money Campaign. The Citizens' Manifesto mobilized citizens nationwide to demand institutional strengthening, constitutional review, and the reinstatement of presidential term limits from the government in advance of the elections. The Respect Your Honor and Return Our Money Campaign questioned the circumstances behind the payment of twenty million Ugandan shillings (approximately \$8,000) to Members of Parliament before elections.

NGOs are eligible for waivers on certain taxes, including vehicle taxes. In practice, however, very few NGOs benefit from these waivers as a result of the bureaucratic application process. NGOs do not pay corporate taxes on grant income. The law provides guidance on the use of earned income from the sale of services by NGOs, stating that NGOs must use any income earned to further their objectives as opposed to distributing the income among their members.

There are few lawyers trained in not-for-profit law and no universities offer courses in this field.

ORGANIZATIONAL CAPACITY: 4.0



Organizations that work in service delivery often develop strong relationships with their target communities. In 2010, advocacy NGOs, previously accused of being captured by elites, endeavored to strengthen their legitimacy by making remarkable progress in constituency building. NGOs have attempted to connect with ordinary citizens through initiatives such as the Citizens' Manifesto, the Youth Manifesto, and the Women's Agenda. Citizen mobilization by NGOs was unprecedented in the run-up to the 2011 elections. Diverse civil society groups, including youth and

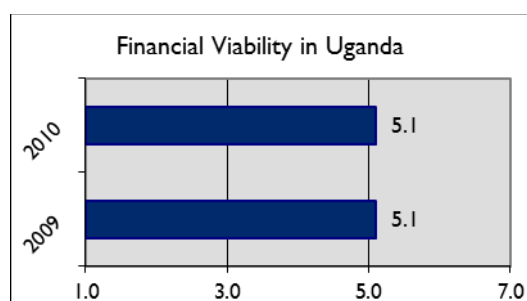
women's movements, NGOs, unions, faith-based organizations, and the Farmers Federation, engaged in civic education in 2010. At the same time, however, the pre-election period presented formidable challenges for citizen mobilization as NGOs had to compete with various political actors for the attention of ordinary citizens. Especially towards the end of 2010, the election campaign greatly overshadowed NGO constituency building efforts.

Many NGOs explicitly state their visions, missions, and objectives, but these often remain on paper. The development of strategic plans remains in vogue because they are seen as important fundraising tools, both when applying for funding from foreign donors and for communicating what they do to other stakeholders, including the government. However, many NGOs stray from their strategic plans, as well as their visions and missions, in response to external funding opportunities. Strategic planning and internal governance remain the most common focus of donor-funded capacity building programs.

Most NGOs have fairly well-developed management structures on paper, but in practice lack appropriate separation of governance and management roles. Part-time and voluntary staff account for most NGO manpower. The sector continues to attract many educated Ugandans who wish to help poorer and disadvantaged members of society while earning a living. It is very common, especially in urban areas, to find relatively well-trained accountants, medical doctors, and lawyers working for NGOs. NGO offices are often modestly equipped, and generally have electricity, running water, and telephone connections.

FINANCIAL VIABILITY: 5.1

A number of NGOs, especially those operating in the capital and other urban areas, have cultivated a regular and predictable stream of donors and continuously seek to diversify funding. The majority of NGOs, however, struggle to stay afloat.



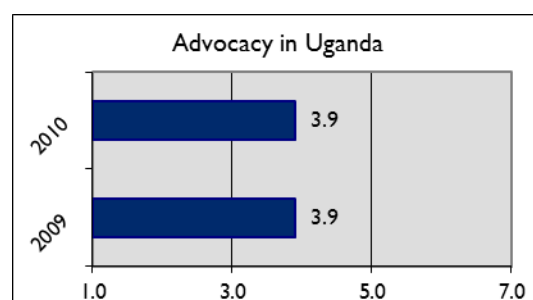
NGOs in Uganda continue to depend heavily on foreign funding. Grants and donations to NGOs remain the primary source of income for at least 90% of NGOs. Foreign support to Ugandan NGOs declined in 2010 as a result of the global economic downturn and changes in development policies in countries like the Netherlands that were previously major funders. Some traditionally financially-sound NGOs were forced to scale down significantly due to funding cuts. For example, the Uganda National NGO Forum, the Foundation for Human Rights Initiative (FHRI), the Africa Leadership Institute, and Western Ankole Civil Society Forum all scaled down their activities and even some staff during the year as a result of funding shortfalls. Service delivery and humanitarian organizations were especially hard hit. With relative peace restored in Northern Uganda, donors switched their focus away from humanitarian relief, reducing the funding available to organizations focused on humanitarian response in a conflict environment. At the same time, however, under

the Deepening Democracy Program (DDP), a donor consortium including DFID and the Embassies of Denmark, Ireland, Netherlands, Norway and Sweden, injected unprecedented funding into civil society for civic education work in 2010.

NGOs benefited from remarkable levels of local support in 2010 because of their response to natural catastrophes. The Uganda Red Cross, for instance, raised unprecedented local resources after the Bududa mudslides in Eastern Uganda. Individual, corporate, and government support to the sector for humanitarian relief was also exceptional.

As the competition for dwindling resources intensifies, many NGOs struggle to demonstrate that they have sound financial management systems. NGOs that receive external funding are more likely to have better financial management systems than those that do not because of donor requirements. Many NGOs undergo audits, usually conducted by independent auditors, to meet internal and external accountability requirements.

ADVOCACY: 3.9



Advocacy remains an important aspect of NGO programming. After a rather indifferent view about the value of NGOs' advocacy initiatives, the government now seems to be working more closely with NGOs on both advocacy and service delivery.

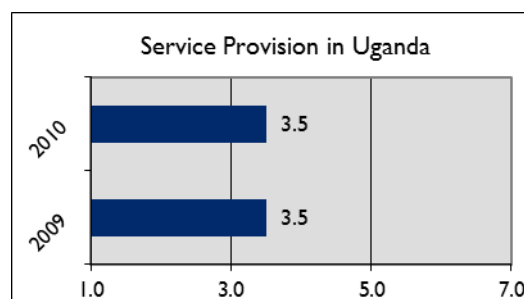
The formation of issue-based coalitions is a growing feature of NGO advocacy. New NGO coalitions have been formed to address emerging issues, including the call for greater transparency in the oil industry and the questionable pre-

election payments to Members of Parliament. Traditional coalitions that work on environmental protection, governance, human rights, and similar issues also continued to be active in 2010.

Lobbying is an increasingly important facet of NGO advocacy. Intense lobbying of individual Members of Parliament and district leaders is responsible for several advocacy successes during the year. Examples include the Advocates Coalition for Development and Environment's (ACODE) Local Government Scorecard (which assesses the performance of individual and institutional organs for local governance), the Africa Leadership Institute's work on the Parliamentary Scorecard (which assesses and publishes performance scores for individual MPs), and the Citizens' Manifesto initiative. NGO participation in various government committees at the national and district levels is also quickly becoming the norm, although the impact is difficult to ascertain. NGOs ceaselessly lobbied the cabinet to approve the National NGO Policy, an effort that finally bore fruit in October 2010, setting in motion a possible process to review the NGO Act.

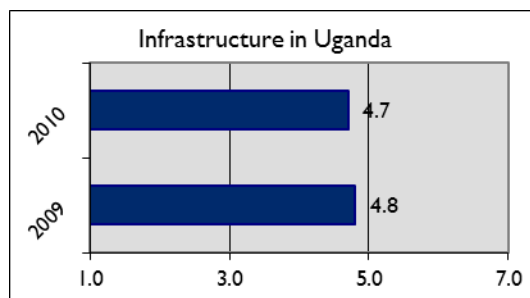
SERVICE PROVISION: 3.5

Service delivery has been the historic mainstay of Ugandan NGOs. The NGO sector collectively delivers a range of services in education, health, agriculture, microfinance, humanitarian/relief services, and environmental conservation. In contrast to the advocacy field where NGO work is heavily influenced by donors, service NGOs more often respond directly to community needs and priorities identified by beneficiaries or to natural or human-made disasters. Funding for service delivery declined in 2010, in part because of the global downturn, but also because money was diverted towards political mobilization in the run-up to the elections.



Cost recovery remains an attractive concept to many NGOs. However, because of their dependence on donors, NGOs rarely implement cost recovery mechanisms, with a few exceptions, such as the maintenance of water wells and microfinance services. The government continues to acknowledge the contribution of NGOs in service delivery. In hard to reach areas the government funds NGOs' work through special post-conflict programs, such as the Karamoja Integrated Development Program and the Peace, Recovery and Development Program. Tensions continue at the local level, where poorly-funded local governments often try to leverage resources from NGOs to complement or even directly finance their projects.

INFRASTRUCTURE: 4.7



NGO infrastructure is extensive across Uganda and present in almost all regions. Intermediary support organizations - often called process facilitators - are common, especially in the countryside. While many of the intermediary or process facilitation organizations operate as quasi-consultancy outfits, their costs are often covered by donors rather than the beneficiary organizations. For instance, under the DANIDA-funded National District Networks Support Program (NDNSP), eight Process Facilitators provide organizational and advocacy support to over twenty-five

district networks and their members. District networks, in turn, often transfer this support to their smaller and more localized members. Only a few local organizations provided professional grantmaking services, often as extensions of donor projects. Training interventions now tend to be more focused on “learning by doing” to enable effective program implementation rather than the conventional large-scale training programs of the past.

Collective work by NGOs grew exponentially in 2010, driven largely by two factors. First, NGOs want to achieve scale, but have inadequate outreach capacity. Second, advocacy NGOs banded together in light of an increasingly imposing state that views citizen mobilization and civic education as political. Examples of renewed coalition building and joint action include the Citizens’ Manifesto group, the Coalition on Oil and Gas, and the Citizens’ Coalition on Electoral Democracy in Uganda (CCEDU). CCEDU brought together over 600 organizations to advocate for greater transparency in the electoral process. Cooperative arrangements between faith-based organizations involved in service delivery, including the Uganda Joint Christian Council and the Interreligious Council of Uganda, also continue to be active. Service delivery organizations, especially those working in the field of HIV/AIDS, also frequently work in partnership. In service delivery, coalition building seems to be driven largely by the need to leverage strengths in fundraising, outreach, and technical skills, while in advocacy, the key driving forces seem to be information sharing and solidarity in the face of common threats.

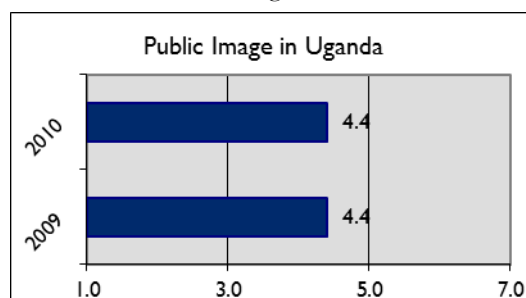
Intersectoral cooperation also remains popular. For instance, NGOs, religious organizations, artisans, and social movements worked closely together in 2010 to develop a collective agenda in the Citizens’ Manifesto process.

PUBLIC IMAGE: 4.4

NGOs seem to be more visible at various levels in 2010. A comparative analysis of media coverage of NGO news by the National NGO Forum suggested a slight increase in 2010 compared to 2009. In particular, NGO engagement in political issues at the national and community levels garnered improved media coverage. For example, the Citizens’ Manifesto process and various high-profile launches of important research reports benefited from significant media coverage. While NGOs continue to pay for media space, more NGOs reported being approached by various media outlets to participate in radio and TV talk shows or comment on contemporary governance and political issues for free, a remarkable shift from past years where NGOs had

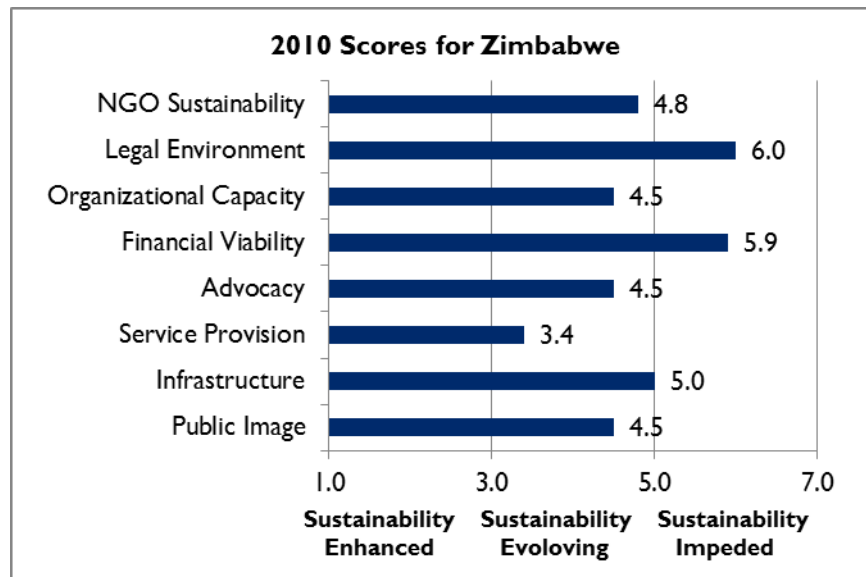
to pay handsomely for media access. NGOs have also shown more interest in working with the media: the sector now frequently holds press conferences to communicate their positions on various governance and development issues. NGOs working in service delivery appeared to be overshadowed by advocacy organizations engaged in pre-election activities.

Public perception of NGOs was mixed in 2010, in large part because of the social polarization in the pre-election period. While NGOs increasingly identified with citizen concerns and presented them to political leaders and government, the ruling elite often interpreted this as an effort to undermine government. Overall, however, government appreciation of both service delivery and advocacy oriented organizations seems to be improving. The connection between civil society and the private sector remains lukewarm and mainly transactional in nature. The private sector perceives NGOs to be well-funded and therefore tries to get as much as possible out of them as customers, providing them with goods and services at a fee.



2010 was yet another slow year with regards to the rollout of the NGO Quality Assurance Certification Mechanism (QuAM), an NGO sector-wide voluntary self-regulatory framework. Fewer than ten NGOs went through QuAM in 2010, throwing into question the future of an initiative that began with so much promise and respect from the government, interest by donors, and excitement by the NGOs that were part of its formulation. If QuAM does not take root, an important opportunity for beneficiary assessments of NGO services will be lost.

ZIMBABWE



Capital: Harare

Government Type:
Parliamentary Democracy

Population:
12,084,304 (July 2011 est.)

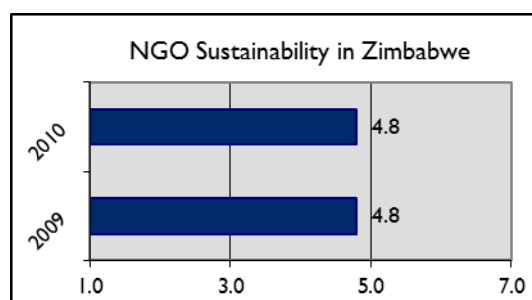
GDP per capita (PPP):
\$500 (2010 est.)

Human Development Index: 173 (2011)

NGO SUSTAINABILITY: 4.8

Zimbabwe has been governed since February 2009 by an inclusive government made up of the three main political parties, ZANU-PF and the two Movement for Democratic Change (MDC) formations. ZANU-PF retains most of the power, including a monopoly over the media and the security sector.

Determining the specific number of NGOs operating in Zimbabwe is difficult as records from the Ministry of Labor and Social Welfare and the Ministry of Justice are difficult to obtain due to government bureaucracy and poor record keeping. However, it is estimated that there are currently over 5,000 NGOs operating in Zimbabwe. Because of the cumbersome and lengthy registration process, most community-based and national NGOs operate without registration.

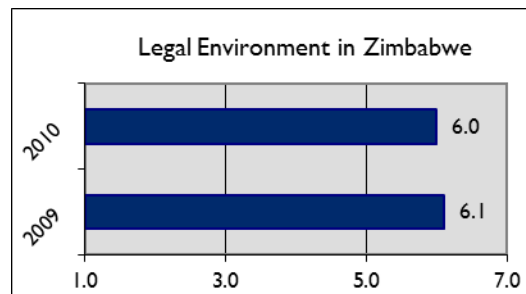


Despite assurances by the inclusive government that the legal framework would be reformed to allow for greater freedoms, NGOs continue to operate in a restrictive environment with stringent laws, a partisan security sector, and biased public media. NGOs continue to rely on foreign donor funding, while local funding from government, individuals, or companies remains inadequate. In addition, the poor state of the country's physical infrastructure limits the ability of NGOs, particularly community-based organizations, to achieve results.

Despite the challenges they face, NGOs have successfully formed coalitions and implemented advocacy initiatives to address key social, economic, and political challenges. NGO staff are professionals in their fields with training in various subjects impacting their work.

LEGAL ENVIRONMENT: 6.0

NGO registration continues to be a long and difficult process. NGOs can either register as trusts or private voluntary organizations (PVOs). Trusts must register with the Ministry of Justice, while PVOs register with the Ministry of Labor and Social Welfare. In addition to choosing one of these two options, NGOs must sign a memorandum of understanding (MOU) with the Ministry of Foreign Affairs to work regionally and internationally, and with the relevant line ministry if addressing specific issues such as health or local government.



Registration as a PVO provides benefits, including various tax exemptions. However, to register as a PVO, an organization must obtain a police clearance, curriculum vitae of board members, and district clearances from largely partisan District Administrators (DAs). PVO registration must be approved by a board appointed by the Ministry of Labor and Social Welfare that convenes irregularly. In addition, authorities sometimes request bribes to register an organization. It can take over a year to get approval to register as a PVO. Organizations considered anti-ZANU-PF are frequently denied registration. The appeals process is equally cumbersome and ill-defined and is impeded by the absence of rule of law in the country. Registering as a trust, on the other hand, is uncomplicated and the entire process can be handled by a lawyer. As a result, most NGOs register as trusts, even though this means foregoing the benefits available to PVOs.

Political polarization complicates the operation of NGOs. There are continuous fights between the ZANU-PF-controlled public administrators and police officers and the MDC-controlled local councils. NGOs that are perceived as MDC sympathizers are often denied the right to work in certain communities.

Other political impediments also continued to prevent NGOs from implementing their programs in 2010. Humanitarian organizations are often forced to obtain MOUs from partisan DAs before operating in certain communities. Some local authorities, including the police, DAs, Provincial Administrators (PAs), and traditional chiefs, also require NGOs to submit their constitutions and registration details before operating in their communities, although this is not required by law. Government reaction to an NGO depends in part on who the organization works with in the community. Over the past year, it has become easier for all NGOs, particularly humanitarian organizations, to work with traditional chiefs, who are often willing to challenge magistrates and DAs on decisions to ban NGO operations.

NGOs that challenge the status quo remain prone to harassment and interference from government and continue to be vulnerable to government dissolution. In 2010, state agents subjected several organizations to raids, harassment of their leaders, and intimidation, including the General Agriculture and Plantation Workers Union of Zimbabwe (GAPWUZ), Centre for Research and Development (CRD), Zimbabwe Human Rights Association (Zimrights), and the Gays and Lesbians Association (GALZ). Although government did not dissolve any of these organizations in 2010, continuous threats led some groups, including GAPWUZ, to scale down their operations.

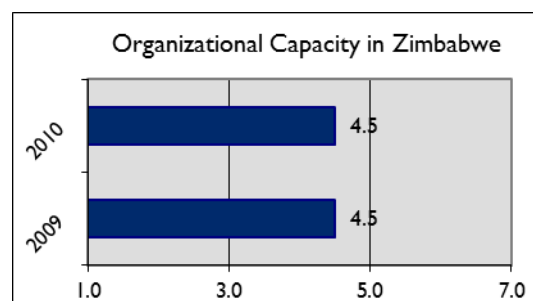
Despite commitments by the inclusive government to amend them, restrictive laws such as the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act (AIPPA) continue to hinder NGO operations by curtailing freedom of expression and association and access to information.

There are no lawyers specialized in NGO law in the country. NGOs requiring legal assistance seek advice from general legal practitioners.

PVOs do not pay tax on donations and grants as long as the funds originate from a foreign bank. Arts organizations are exempt from tax on studio equipment and musical instruments, although they need a new certificate for each purchase they make. PVOs operating educational facilities do not have to pay the corporate tax. Trusts do not receive any special tax treatment.

NGOs are allowed to generate income by operating private companies, although proceeds are subject to value-added tax. NGOs are also eligible to compete for government contracts and grants.

ORGANIZATIONAL CAPACITY: 4.5



NGO attempts to build and maintain constituencies are hindered by a lack of resources. NGOs regularly build relationships with target populations within the confines of specific projects. However, sustaining constituencies is difficult given the volatile and unpredictable political environment, project life spans, and the mobility of some target groups, such as youth.

Some NGOs, mostly those operating on a national level, have missions to which they adhere. Most community based

organizations, on the other hand, lack written mission statements, relying instead on oral tradition. An NGO's programmatic focus is often determined by donor priorities and the availability of funds. ZANU-PF sometimes prevents NGOs from operating in certain communities, particularly the three Mashonaland provinces and Midlands, which are the party's strongholds. Most NGOs develop annual strategic plans, although implementation is difficult owing to the unpredictable political environment.

The involvement of board members depends on an organization's constitution, incentives, and capacities. Most board members have the capacity to provide appropriate supervision, although some expect remuneration for their involvement. Some boards perform financial oversight, although this is not the norm.

Most NGOs are unable to maintain permanent staff because the private sector and civil service are able to offer more job security and better benefits, especially since the formation of the inclusive government. Many NGOs employ interns to cut costs. Employees are generally hired on the basis of their merit and qualifications; most employees are specialists in their respective fields. Volunteers are scarce due to the economic situation in the country, although organizations that offer home-based care utilize volunteers.

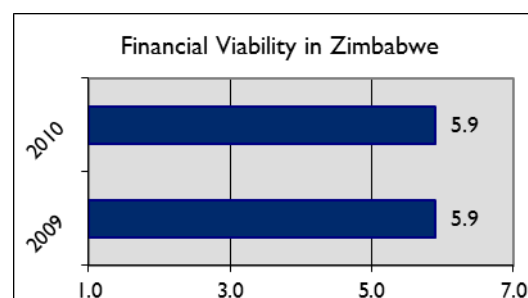
Most NGOs have human resource policies, but seldom implement them. Approximately 60% of NGOs, mostly national organizations, utilize professional services, particularly in the area of information technology, on occasion.

FINANCIAL VIABILITY: 5.9

The advent of the inclusive government in 2009 resulted in donor flight away from NGOs in favor of government initiatives. For example, the United Nations Development Program (UNDP) injected resources into the government to support the constitution making process, resulting in fewer resources for NGOs.

While some organizations, particularly national NGOs, have core donors, they are now struggling financially because of a shift in donor priorities, the global recession, and Zimbabwe's political climate. NGOs in Zimbabwe do not conduct membership outreach or philanthropy development initiatives because of the untenable economic situation.

Some NGOs get revenue from the sale of products and services, including consulting, running colleges, and renting out conference centers. Other NGOs collect dues from their members. However, financial constraints prevent some members from paying dues. Networks such as the Zimbabwe Women Lawyers Association (ZWLA) and GALZ collect significant amounts of dues from their members.

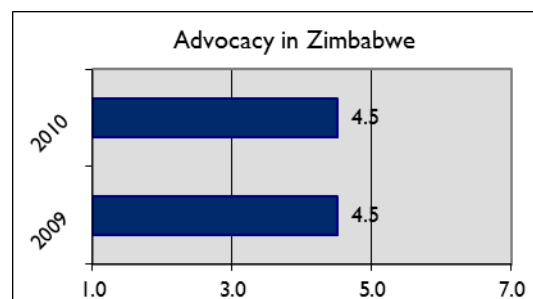


NGOs that receive financial support from the government are usually supportive of ZANU-PF. As a result of the economic crisis in the country, the government does not disburse much money to NGOs.

Corporations provide funding to arts organizations, but not political organizations, because they are wary of backlash, especially from ZANU-PF. The Harare International Festival of the Arts (HIFA) receives corporate donations, although the corporate sponsors insist on advertising in exchange. Some companies also establish their own social entities rather than supporting existing groups.

The financial management systems of most national NGOs are transparent and accountable with oversight provided by board members. These NGOs usually conduct audits on an annual basis, subject to the availability of funds. Other NGOs are unlikely to have sound financial systems or oversight by boards.

ADVOCACY: 4.5



With the inclusive government, NGOs now have increased access to policy makers, although their success in influencing policy remains limited. In 2010, NGOs attempted to influence the constitution making process by sending representatives to the thematic committees and sending position papers to the Parliamentary Select Committee on the Constitution (COPAC). However, indications are that the political parties will reach a negotiated settlement over the constitution, making this input largely irrelevant. Cooperation with MDC officials in the government is

especially strong. However, because of the party's limited influence on policy outcomes, this cooperation does not yield significant results. With the establishment of the inclusive government, parliamentary committees have become more receptive to information from NGOs and are organizing public hearings on key policy issues. NGOs such as the Zimbabwe Lawyers for Human Rights (ZLHR) continue to advocate for the repeal of repressive laws that hinder the work of NGOs.

NGOs have formed coalitions to address key issues. Examples include the Child Protection Coalition and the establishment of NGO clusters on health rights, and women's and children's rights. The cluster on health rights successfully made information on maternal health more accessible, particularly in rural areas. As a result of NGO efforts to enshrine women's and children's rights in the constitution, these rights are now largely uncontested.

While interaction between government officials and NGOs has improved, a divide still exists. Some officials are willing to cooperate with NGOs, but others remain highly skeptical of NGOs. In addition, NGOs engage in self-censorship to a certain extent, shying away from actions or statements that can be deemed political.

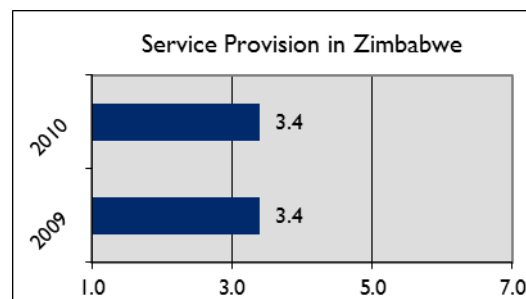
SERVICE PROVISION: 3.4

NGOs in Zimbabwe provide a range of services in areas such as health, education, food relief, and women's health and political participation. Services provided generally respond to community needs. For example, the work of relief organizations such as Catholic Relief Services (CRS) and Christian Care helped meet the needs of the 2.2 million people requiring food aid in the country in 2010.

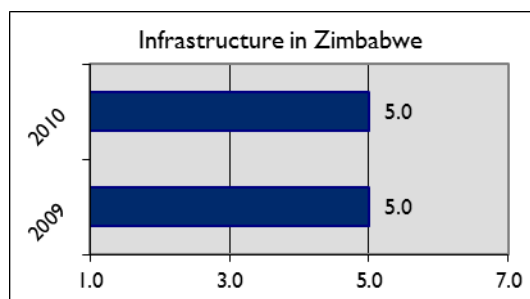
Government officials now recognize NGOs' expertise, particularly in the social services sector, paving the way for partnerships. The Legal Resources Foundation (LRF) trains judges, magistrates, prison officers, and the police on a number of legal issues including human rights laws. The Women's Action Group (WAG) has worked with government to increase the efficiency of family courts and helps the government coordinate assistance to survivors of gender-based violence. In general, government only cooperates with NGOs on issues that are non-threatening and "acceptable." The government does not, however, award grants or contracts to NGOs to provide services; instead, the government draws on the technical skills and financial resources that NGOs can contribute to these efforts.

As in 2009, NGOs provided civic education on the constitution making process to communities across the country. These organizations included Crisis in Zimbabwe Coalition, Zimrights, and Zimbabwe Civic Education Trust (ZIMCET).

Most NGOs provide services to the broader community, while a few organizations - including GALZ - provide services primarily to their members. Reports produced by NGOs are generally distributed free of charge to other organizations, donors, and other constituencies, although some organizations such as LRF charge for their publications.



INFRASTRUCTURE: 5.0



The NGO infrastructure has not changed significantly in the last year. NGO resource centers, such as those run by the Zimbabwe Women's Resource Centre and Network (ZWRCN), LRF, Zimbabwe Lawyers for Human Rights (ZLHR), National Association of Non-Governmental Organizations (NANGO), and Justice for Children Trust (JCT), are mostly located in urban areas. Resource centers generally serve their members and other "strategic partners" (mostly other NGOs). Materials distributed by resource centers are usually in English, as opposed to the local

languages used primarily by the rural populace. Some foreign libraries, such as that of the British Council, offer foreign resources, although these do not always relate to the needs of Zimbabweans.

Local foundations and organizations, including the Youth Empowerment Trust (YET) and Culture Fund, re-grant international donor funds locally. Communication between NGOs is facilitated by organizations such as Kubatana Trust, which operates a listserve that disseminates relevant information across the sector.

NGOs share information on key socio-economic and political issues through various coalitions such as NANGO, Women's Coalition, Crisis Coalition, and NGO Clusters. NANGO represents all NGOs and creates opportunities for different sub-sectors to discuss topical issues.

Depending on the availability of resources, NGO employees, mostly from national NGOs, benefit from training by consultants in fields such as fundraising, marketing, and NGO management. Donors also provide their grantees with training in results-based management and grant compliance.

PUBLIC IMAGE: 4.5

Media coverage of NGOs remains extensive in Zimbabwe although polarization within the media results in uneven coverage of NGOs. For example, the work of social service NGOs is more likely to be covered than the activities of governance and human rights organizations. To the extent that the public media covers governance and human rights organizations at all, it tends to be critical of their work, sometimes referring to them as “stooges of Western countries.” Private and online media are more likely to report on NGOs.



The public understands the role played by NGOs, but the negative image presented by the public media has propagated the perception that NGOs are rich and misuse funds. Local businesses also believe that NGOs have sufficient financial resources, making them unwilling to contribute meaningfully to NGO initiatives.

ZANU-PF has a negative perception of NGOs, largely viewing them as MDC sympathizers. This mistrust is prevalent in both local and national governments and mostly affects governance and human rights organizations.

PVOs are required to submit annual reports on their activities to the relevant ministries. However, there is no enforcement of the law. Trusts and unregistered NGOs produce annual reports for their donors, associates, and networks. Most CBOs cannot afford to publish annual reports, although they gather information on their annual activities. NGOs have not developed a code of ethics.

ANNEX A: STATISTICAL DATA

2010 NGO SUSTAINABILITY SCORES

COUNTRY	Legal Environment	Organizational Capacity	Financial Viability	Advocacy	Service Provision	Infrastructure	Public Image	NGO Sustainability
EAST AFRICA								
Burundi	5.8	5.9	6.0	4.5	4.5	5.6	4.3	5.2
DRC	5.4	5.1	5.8	4.5	4.5	5.6	5.0	5.1
Ethiopia	6.2	5.1	5.9	6.0	4.9	5.3	5.1	5.5
Kenya	4.1	3.9	4.8	3.5	3.4	3.7	4.3	4.0
Rwanda	4.3	4.6	5.3	3.9	4.0	5.0	4.5	4.5
Tanzania	4.5	4.4	4.9	3.9	3.4	4.3	4.2	4.2
Uganda	5.1	4.0	5.1	3.9	3.5	4.7	4.4	4.4
Average	5.1	4.7	5.4	4.3	4.0	4.9	4.5	4.7
WEST AFRICA								
Gabon	6.0	5.5	6.1	5.1	5.1	5.1	5.0	5.4
Ghana	3.9	3.9	5.6	3.9	3.8	4.7	4.3	4.3
Guinea	5.5	5.8	6.3	5.5	5.1	5.7	4.9	5.5
Liberia	4.9	5.1	5.8	4.2	4.4	4.8	4.7	4.8
Mali	4.2	4.2	5.6	3.9	3.7	4.7	4.5	4.4
Nigeria	5.0	4.7	5.6	3.8	4.2	5.0	4.0	4.6
Senegal	4.3	3.9	5.0	3.9	3.9	4.7	3.9	4.2
Sierra Leone	5.0	4.9	5.7	4.5	4.1	5.1	4.5	4.8
Average	4.9	4.8	5.7	4.4	4.3	5.0	4.5	4.8
SOUTHERN AFRICA								
Angola	6.0	5.7	5.9	5.5	5.3	5.7	5.4	5.6
Mozambique	4.8	5.4	5.0	4.5	4.0	5.1	4.8	4.8
South Africa	3.3	3.7	4.0	3.4	3.2	3.8	3.6	3.6
Zimbabwe	6.0	4.5	5.9	4.5	3.4	5.0	4.5	4.8
Average	5.0	4.8	5.2	4.5	4.0	4.9	4.6	4.7

COUNTRIES RANKED BY SCORES

LEGAL ENVIRONMENT	ORGANIZATIONAL CAPACITY	FINANCIAL VIABILITY
SUSTAINABILITY ENHANCED	SUSTAINABILITY ENHANCED	SUSTAINABILITY ENHANCED
SUSTAINABILITY EVOLVING	SUSTAINABILITY EVOLVING	SUSTAINABILITY EVOLVING
South Africa 3.3	South Africa 3.7	South Africa 4.0
Ghana 3.9	Ghana 3.9	Kenya 4.8
Kenya 4.1	Kenya 3.9	Tanzania 4.9
Mali 4.2	Senegal 3.9	Mozambique 5.0
Rwanda 4.3	Uganda 4.0	Senegal 5.0
Senegal 4.3	Mali 4.2	SUSTAINABILITY IMPEDED
Tanzania 4.5	Tanzania 4.4	Uganda 5.1
Mozambique 4.8	Zimbabwe 4.5	Rwanda 5.3
Liberia 4.9	Nigeria 4.7	Nigeria 5.6
Nigeria 5.0	Rwanda 4.6	Ghana 5.6
Sierra Leone 5.0	Sierra Leone 4.9	Mali 5.6
SUSTAINABILITY IMPEDED	SUSTAINABILITY IMPEDED	Sierra Leone 5.7
Uganda 5.1	Liberia 5.1	DRC 5.8
DRC 5.4	DRC 5.1	Liberia 5.8
Guinea 5.5	Ethiopia 5.1	Ethiopia 5.9
Burundi 5.8	Mozambique 5.4	Angola 5.9
Angola 6.0	Gabon 5.5	Zimbabwe 5.9
Gabon 6.0	Angola 5.7	Burundi 6.0
Zimbabwe 6.0	Guinea 5.8	Gabon 6.1
Ethiopia 6.2	Burundi 5.9	Guinea 6.3

COUNTRIES RANKED BY SCORES

ADVOCACY		SERVICE PROVISION		INFRASTRUCTURE	
SUSTAINABILITY ENHANCED		SUSTAINABILITY ENHANCED		SUSTAINABILITY ENHANCED	
SUSTAINABILITY EVOLVING		SUSTAINABILITY EVOLVING		SUSTAINABILITY EVOLVING	
South Africa	3.4	South Africa	3.2	Kenya	3.7
Kenya	3.5	Tanzania	3.4	South Africa	3.8
Nigeria	3.8	Zimbabwe	3.4	Tanzania	4.3
Uganda	3.9	Kenya	3.4	Ghana	4.7
Ghana	3.9	Uganda	3.5	Senegal	4.7
Senegal	3.9	Mali	3.7	Liberia	4.8
Tanzania	3.9	Ghana	3.8	Uganda	4.7
Mali	3.9	Senegal	3.9	Mali	4.7
Rwanda	3.9	Mozambique	4.0	Nigeria	5.0
Liberia	4.2	Rwanda	4.0	Rwanda	5.0
DRC	4.5	Nigeria	4.2	Zimbabwe	5.0
Mozambique	4.5	Sierra Leone	4.1	SUSTAINABILITY IMPEDED	
Sierre Leone	4.5	Liberia	4.4	Gabon	5.1
Zimbabwe	4.5	Burundi	4.5	Mozambique	5.1
Burundi	4.5	DRC	4.5	Sierra Leone	5.1
SUSTAINABILITY IMPEDED		Ethiopia	4.9	DRC	5.6
Gabon	5.1	SUSTAINABILITY IMPEDED		Ethiopia	5.3
Angola	5.5	Gabon	5.1	Burundi	5.6
Guinea	5.5	Guinea	5.1	Angola	5.7
Ethiopia	6.0	Angola	5.3	Guinea	5.7

COUNTRIES RANKED BY SCORE

PUBLIC IMAGE		NGO SUSTAINABILITY - COUNTRY RANKINGS		
		2010	2009	
SUSTAINABILITY ENHANCED		SUSTAINABILITY ENHANCED		
SUSTAINABILITY EVOLVING		SUSTAINABILITY EVOLVING		
South Africa	3.6	South Africa	3.6	1
Senegal	3.9	Kenya	4.0	2
Nigeria	4.0	Senegal	4.2	3
Tanzania	4.2	Tanzania	4.2	3
Ghana	4.3	Ghana	4.3	5
Kenya	4.3	Mali	4.4	6
Burundi	4.3	Uganda	4.4	6
Uganda	4.4	Rwanda	4.5	8
Mali	4.5	Nigeria	4.6	9
Rwanda	4.5	Liberia	4.8	10
Sierra Leone	4.5	Mozambique	4.8	10
Zimbabwe	4.5	Sierra Leone	4.8	10
Liberia	4.7	Zimbabwe	4.8	10
Guinea	4.9	SUSTAINABILITY IMPEDED		
Mozambique	4.8	DRC	5.1	14
DRC	5.0	Burundi	5.2	15
Gabon	5.0	Gabon	5.4	16
SUSTAINABILITY IMPEDED		Ethiopia	5.5	17
Ethiopia	5.1	Guinea	5.5	18
Angola	5.4	Angola	5.6	18

DIMENSION SCORES 2009 - 2010

Country	Legal Environment		Organizational Capacity		Financial Viability	
	2009	2010	2009	2010	2009	2010
EAST AFRICA						
Burundi	5.8	5.8	5.9	5.9	6.0	6.0
DRC	5.3	5.4	5.1	5.1	5.8	5.8
Ethiopia	6.1	6.2	5.1	5.1	5.8	5.9
Kenya	4.5	4.1	3.9	3.9	4.8	4.8
Rwanda	4.3	4.3	4.7	4.6	5.3	5.3
Tanzania	4.5	4.5	4.4	4.4	4.9	4.9
Uganda	4.9	5.1	4.0	4.0	5.1	5.1
Average	5.1	5.1	4.7	4.7	5.4	5.4
WEST AFRICA						
Gabon	6.0	6.0	5.5	5.5	6.1	6.1
Ghana	4.0	3.9	3.9	3.9	5.5	5.6
Guinea	5.5	5.5	5.8	5.8	6.2	6.3
Liberia	5.0	4.9	5.1	5.1	5.8	5.8
Mali	4.3	4.2	4.3	4.2	5.7	5.6
Nigeria	5.0	5.0	4.7	4.7	5.6	5.6
Senegal	4.2	4.3	3.9	3.9	5.0	5.0
Sierra Leone	5.0	5.0	4.9	4.9	5.7	5.7
Average	4.9	4.9	4.8	4.8	5.7	5.7
SOUTHERN AFRICA						
Angola	6.0	6.0	5.7	5.7	5.9	5.9
Mozambique	4.8	4.8	5.4	5.4	5.0	5.0
South Africa	3.5	3.3	3.7	3.7	3.8	4.0
Zimbabwe	6.1	6.0	4.5	4.5	5.9	5.9
Average	5.1	5.0	4.8	4.8	5.2	5.2

DIMENSION SCORES 2009 - 2010

Advocacy		Service Provision		Infrastructure		Public Image	
2009	2010	2009	2010	2009	2010	2009	2010
4.6	4.5	4.5	4.5	5.6	5.6	4.4	4.3
4.5	4.5	4.5	4.5	5.6	5.6	5.0	5.0
5.8	6.0	5.0	4.9	5.3	5.3	5.1	5.1
3.8	3.5	3.5	3.4	3.7	3.7	4.3	4.3
4.0	3.9	4.0	4.0	5.0	5.0	4.5	4.5
4.0	3.9	3.4	3.4	4.3	4.3	4.2	4.2
3.9	3.9	3.5	3.5	4.8	4.7	4.4	4.4
4.4	4.3	4.1	4.0	4.9	4.9	4.6	4.5
5.3	5.1	5.1	5.1	5.1	5.1	5.0	5.0
4.0	3.9	3.8	3.8	4.7	4.7	4.3	4.3
5.7	5.5	5.1	5.1	5.7	5.7	4.9	4.9
4.3	4.2	4.4	4.4	4.8	4.8	4.7	4.7
4.1	3.9	3.6	3.7	4.9	4.7	4.5	4.5
3.9	3.8	4.2	4.2	5.0	5.0	4.0	4.0
4.0	3.9	3.9	3.9	4.7	4.7	3.9	3.9
4.5	4.5	4.2	4.1	5.1	5.1	4.5	4.5
4.5	4.4	4.3	4.3	5.0	5.0	4.5	4.5
5.5	5.5	5.3	5.3	5.7	5.7	5.4	5.4
4.5	4.5	4.0	4.0	5.1	5.1	4.9	4.8
3.3	3.4	3.2	3.2	3.9	3.8	3.5	3.6
4.5	4.5	3.4	3.4	5.0	5.0	4.5	4.5
4.5	4.5	4.0	4.0	4.9	4.9	4.6	4.6